**BORDEAUX RETREAT AT JAMESTOWN**

**HOMEOWNERS ASSOCIATION, INC.**

**PARKING AND TOWING GUIDELINES**

**I. PURPOSE AND APPLICATION**

These Parking and Towing Guidelines have been developed for the Bordeaux Retreat at Jamestown Homeowners Association, Inc. and apply to all owners, residents, tenants, guests and invitees within the community. All vehicles located, whether standing or parked, within the Bordeaux community are subject to laws of the Greensboro Police Department and to the rules set in these guidelines. Owners and residents are responsible for the actions of their tenants, guests and invitees. Any vehicle in violation of the aforementioned city and community rules shall be subject to towing and/or ticketing.

**II. DEFINITIONS**

The following items have been defined to simplify these regulations. These definitions are intended to be consistent with the definitions found in the Covenants.

**A. Vehicle Definitions**

1. Commercial Vehicle

a. Any vehicle deemed commercial by the State of North Carolina General Statute 20-4.2(1) which defines commercial vehicles as any type of vehicle weighing over 26,001 pounds and as further defined in the community CC&R’s

b. any private or public school or church buses

2. Recreational Vehicle

a. any boat, jet ski, or other water vehicle

b. any trailebbddbbr or fifth-wheel trailer

c. any mobile home, motor home or self-contained camper

d. any pop-up camper/tent trailer or other similar recreation-oriented, portable, or transportable facility or conveyance

e. dune buggies

f. any vehicle which would not normally be used for daily transportation or which is not licensed for use on the North Carolina highways, including golf carts, ATV’s, dirt bikes, go carts, etc.

3. Junk Vehicle: A vehicle that is disabled, inoperable, or unable to be legally driven on private or public roads.

4. Abandoned Vehicle: A vehicle that is not parked on private property is presumed abandoned if it has been in a specific location for four (4) days without being moved and if it lacks either: (1) a current license plate, or (2) a valid state inspection certificate or decal.

5. Parked Vehicle: A vehicle that is brought to a stop with the engine off.

6. Standing Vehicle: A vehicle that is brought to a stop with the engine still on.

**B. Streets and Other Parking Area Definitions**

1. Private Individual Driveways: Paved driveways located on an individual owner’s lot leading to the individual owner’s garage.

2. Pool Parking Spaces: Paved and painted spaces located at the community pool. *See section IV. D for rules pertaining to Pool parking spaces.*

3. Visitor Parking Spaces: Paved and painted parking spaces that are marked “VISITOR”. Visitor parking spaces are not assigned to a specific lot. *See section IV. D for rules pertaining to Visitor parking spaces.*

4. Open Parking Spaces: Paved and painted parking spaces that are not reserved for a specific lot nor marked as visitor parking spaces. *See section IV. D for rules pertaining to Open parking spaces.*

5. Private Roads: Paved roads/finger streets owned and maintained by the Bordeaux Homeowners Association. Community rules are enforced by the HOA on these private roads. The **private roads** are:

**All Renaissance Parkway and corresponding finger streets**

**All finger streets off Jarman Drive including circle at north end of community**

6. Public Roads: Paved roads owned and managed by the City of Greensboro. All state and county laws are enforced by the City of Greensboro Police on these public roads. The following are **public roads**:

**Jarman Drive, excluding the finger streets and circle**

**Manor Ridge Drive**

**C. Other Definitions**

1. Common Property: All real property and improvements thereon owned or leased by the Community and available for the use and enjoyment of the Members.

2. Owner: The record holder of the title to any Lot in the Bordeaux community, whether one or more persons.

3. Resident: Anyone who resides in the Bordeaux community, whether owner, renter, etc., of the residence.

4. Private Property: All real property owned by private individuals and not commonly owned by the Bordeaux Homeowners Association nor owned by the state of North Carolina.

5. Good Standing: The status of any Bordeaux community owner or resident who is not in violation of the Declaration, By-Laws, or Rules and Regulations of the Association.

**III. PARKING RIGHTS**

The declaration under Article III Section Three. Parking Rights. states “Ownership of each Lot shall entitle the Owner or Owners thereof to the use of not more than two (2) automobile parking spaces, which shall be as near and convenient to said Lot as reasonably possible, together with the right of ingress and egress in and upon said parking areas. The Association may assign vehicle parking spaces for each Lot. The two automobile parking spaces for Lots having garages shall be the garage and the appurtenant driveway. Owners hereby consent to and authorize the Association to tow any vehicle that is parked in violation of this Declaration or rules and regulations of the Association.”

**IV. RULES AND GUIDELINES**

**A. General Parking Rules**

1. Vehicles can not park on any private road/finger street *(See definition of private roads in Section II B)*. Vehicles shall park only in paved locations that are intended for parking (including lined parking spaces, driveways, and public road curbsides). Vehicles must be in accordance with the specific regulations governing such parking locations.

2. It is prohibited to park any motor vehicle on a sidewalk or on any non-paved common area or on any

non-paved private property.

3. It is a fire lane violation to have any portion of a parked vehicle extend onto a private or public road and is prohibited.

4. All owners are responsible for notifying any present resident, guest or invitee on their property of the parking guidelines in the community. Owners of units whose residents, guests or invitees violate these guidelines shall be held liable for any damages to the community caused directly or indirectly by the violation.

5. Parking which blocks sidewalks and/or driveways is strictly prohibited.

6. It is strictly prohibited to double park.

7. Parking spaces are not to be used for storage.

8. No motorized vehicles shall be driven on non-paved common area, except such vehicles as are authorized by the Association, County, or State as needed to maintain, repair or improve the common area.

9. It is prohibited to abandon a vehicle on common property or on a private or public road.

10. It is prohibited to park vehicles with expired license plates on common property (including private roads).

**B. Recreational Vehicle Parking Rules**

It is prohibited to park/store recreational vehicles in open view on driveways, Visitor or Open parking spaces, common areas, or on private roads. Recreational vehicles must be parked or stored out of site within the resident’s property when not in use.

**C. Commercial Vehicle Parking Rules**

1. Residents who own commercial vehicles must meet the following criteria in order to park their commercial vehicle within the community:

a. the commercial vehicle must not exceed 18 feet bumper to bumper

b. the commercial vehicle must not meet any of the criteria of a recreational vehicle

2. Unless owned by a resident meeting the criteria stated in Number C.1 above, no commercial vehicle may be parked in any location within the bounds of the community, including paved and unpaved common areas, paved and unpaved private property, except when in use for business purposes.

3. Unless owned by a resident meeting the criteria stated in Number C.1 above, no commercial vehicle shall remain parked within the bounds of the community over night.

4. During normal daytime business hours, a commercial vehicle which has been contracted to provide a service within the community may park in any Visitor parking space, Open parking space, private driveway, or public road.

**D. Rules Pertaining to Visitor, Open and Pool Parking Spaces**

1. The community shall have all parking spaces on the paved common areas painted and marked per the parking plan specifications.

2. Even if the Visitor, Open and Pool parking spaces are not marked, these “Rules Pertaining to Visitor, Open and Pool Parking Spaces” still apply.

3. All persons who park motor vehicles in lined parking spaces shall position their vehicle as close to the center of the parking space between the painted lines as possible. In general, overlapping the painted lines which separate parking spaces or parking at an angle to the curb is prohibited.

4. Parking spaces at the pool will be designated “pool only” parking from May through September. All other months the parking spaces are considered open.

5. Certain parking spaces in the Community are marked “Visitor”. Visitor parking spaces are for the use of visitors only. It is expressly prohibited for any Bordeaux resident living on that street or private road to use a Visitor parking space.

6. Visitor parking spaces are utilized on a first-come, first-serve basis and are not assigned to a specific lot.

7. Visitors may park in Visitor parking spaces for a seventy-two (72) hour period without special permission. The seventy-two (72) hour period shall begin when a vehicle first enters a Visitor parking space and the period will not cease when a vehicle temporarily leaves the Visitor parking space and returns.

8. Use of a Visitor space for more than a seventy-two (72) hour period requires special permission from the Association. To obtain special permission, the vehicle owner must provide the following information:

a. the vehicle’s tag number

b. the address of the resident being visited

c. the duration of the intended visit

9. Vehicles in the community for more than thirty (30) days will be considered resident vehicles and may not be parked in Visitor parking spaces.

10. Certain parking spaces in the community are Open parking spaces. Open parking spaces are not marked “VISITOR”. These Open parking spaces are available to any Bordeaux owner, resident, tenant, guest or invitee.

11. No person shall, through custom or alleged past practice, establish a right to an Open parking space.

12. Open parking spaces shall be utilized on a first-come, first-serve basis.

13. It is prohibited to park in an Open parking space for more than seventy-two (72) consecutive, uninterrupted hours.

**V. VARIANCES**

**A**. If you have more than two vehicles and park your vehicles in both your garage and driveway and there is no remaining parking available to you in either your garage or driveway, the Association may grant a variance. In order to obtain a variance, you must submit a written request and a check or money order for $100.00 to HOAM Inc., 315-A Pomona Drive, Greensboro NC 27407. Please include the make, model and color of all vehicles with your request. Parking variances will be issued on a case-by-case basis and may be revoked at any time by the Board of Directors. Variances will be granted for the current calendar year only. A new application and $100.00 fee must be submitted annually.

**B**. Upon board approval of a variance, a parking permit sticker will be issued by the management company. The board shall only approve one (1) variance/sticker to be issued per unit. All stickers expire on December 31st of each year.

**C**. Variances will only be issued after a garage inspection. Guidelines for garage inspections are as follows:

1. Vehicles parked in the garage and those for which a variance is being requested must be registered to that address, and a copy of the registrations must be provided at the time of inspection.
2. Garage inspections are required to obtain a variance and are included in the application fee.
3. Homeowners with street-legal motorbikes registered to their homes may request a variance in the case of two such bikes and one vehicle parked in their garage or driveway and no remaining spaces available in either their garage or driveway.

**VI. GUIDELINE ENFORCEMENT**

**A. General**

1. The designee for the administration of these guidelines is:

**Homeowners Association Management, Inc**.

315-A Pomona Drive

Greensboro, NC 27407
336-387-0209

Association Manager: Mary Munn

Email: mary@hoaminc.com

2. The Board retains the right to administer or enforce any provision of these guidelines.

3. Upon the consent and request of the disputants, the Board will act to fairly adjudicate or arbitrate disputes that may arise among owners or residents related to the administration and enforcementof these guidelines.

4. Invalidation of any of these paragraphs or sections by judgment or court order shall in no way affect any other provisions that shall remain in full force and effect.

5. It is the responsibility of all owners to comply with these guidelines and to instruct their residents, tenants, guests, and invitees to do so as well.

6. Owners and residents may report violations of the policy to either the Management Company or the Greensboro Police Department as appropriate (see section B below, “Reporting Violations”).

**B. Reporting Violations**

1. The following violations should be reported directly to the Greensboro Police Department at (336) 373-2222:

a. vehicles blocking fire hydrants

b. vehicles blocking fire lanes

2. Vehicles in violation along any public thoroughfare should be reported directly to the Greensboro Police Department at (336) 373-2222.The public thoroughfares in the Bordeaux community as designated by the Greensboro Department of Transportation (GDOT) are:

**Manor Ridge Drive and Jarman Drive excluding finger streets and circle**

3. Vehicle violations that are NOT fire lane/fire hydrant violations (as listed under Number B.1 above) nor

public thoroughfare violations (as listed under Number B.2 above) should be reported to the Association Manager who will promptly notify one or more board members. These types of violations include but are not limited to: Private Roads, Common Area, Visitor, Open and Pool parking space violations, recreational vehicle violations, commercial vehicle violations, abandoned/junk vehicle violations, and vehicles with expired license plates.

The caller should provide the following information:

a. vehicle’s make

b. vehicle’s model

c. vehicle’s color

d. vehicle’s license plate number

e. vehicle’s location

f. nature of violation

g. date and time of violation

h. any other related information

i. caller’s name, address, and phone number

(NOTE: The caller information is required if the board needs to contact the caller for any follow-up information. This information is not passed on to the owner of the vehicle.)

**C. Resident Engagement of Tow Services**

1. Any owner or resident who directly engages a tow company to enforce any provision of these guidelines shall bear full and complete responsibility for said action and shall agree to hold Bordeaux Retreat at Jamestown Homeowners Association, Inc., its Officers, members of its Board of Directors, and its Managing Agent harmless from any and all liability, costs, or fees they may incur in defending themselves for any enforcement actions undertaken which were not directly authorized by the Board of Directors.

**D. Vehicle Violation Penalties**

1. Fire Lane/Fire Hydrant Violation Penalties: These vehicles are subject to immediate ticketing and/or towing by the City of Greensboro Police at the expense and risk of the vehicle owner.

2. Public Thoroughfare Violation Penalties: These vehicles are subject to immediate ticketing and/or towing by the City of Greensboro Police at the expense and risk of the vehicle owner.

3. Visitor Open & Pool Parking Space Violation Penalties: When a vehicle is parked in violation of the Visitor or Open parking space regulations, the Association will send the owner of the vehicle a warning letter. The warning notice is a final notice that the vehicle in violation will be towed if it is not removed from the parking space within twenty-four (24) hours of the warning. Any vehicle which has received a notice of violation may be towed without warning if it is ever again parked in violation of theVisitor or Open parking space regulations. All tows will be at the risk and expense of the vehicle owner.

4. Parking on Private Road or Common Area Violation Penalties: When a vehicle is parked in violation of the Private Road or Common Area regulations, the Association will send the owner of the vehicle a warning letter. The warning notice is a final notice that the vehicle in violation will be towed if it is not removed from the parking space within twenty-four (24) hours of the warning. Any vehicle which has received a notice of violation may be towed without warning if it is ever again parked in violation of the Private Road or Common Area regulations. All tows will be at the risk and expense of the vehicle owner.

5. Other Vehicle Violation Penalties: These “other” violations include but are not limited to: recreational vehicle violations, commercial vehicle violations, abandoned/junk vehicle violations, and vehicles with expired license plates.