

DALTON FARM PARKING AND TOWING RULES

Purpose and Application

These Parking and Towing Rules have been developed for the Dalton Farm Homeowners Association, Inc. and applies to all owners, residents, tenants, guests, and invitees within the community. All vehicles located, whether standing or parked, within the Dalton Farm community are subject 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 community rules shall be subject to towing and/or ticketing.

Definitions

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

A. Vehicle Definitions

Commercial Vehicle - The definition of a commercial vehicle includes but is not limited to the following.

- A rated carrying capacity which exceeds 2,240 pounds (1 ton).
- exceeds 18 feet bumper to bumper.
- Regardless of capacity, which displays advertising lettered thereon.
- Which is licensed as a “for hire” vehicle.
- Any vehicle that has visible commercial equipment attached to the exterior of the vehicle (i.e. ladders, pipes, toolboxes);
- Any private or public school, community, or church buses.
- Which displays commercial license plates

Recreational Vehicle - The definition of a recreation vehicle includes but is not limited to the following.

- Any boat, jet ski, or other water vehicle; trailer or fifth wheel trailer.
- Any vehicle that exceeds seven feet in height, nine feet in width, or eighteen feet in length.
- Any mobile home, motor home or self-contained camper.
- Any pop-up camp/tent trailer or other similar recreation-oriented, portable, or transportable facility or conveyance.
- Dune buggies, golf carts, motorized dirt bikes, scooters or All-Terrain Vehicles.
- Any vehicle which would not normally be used for daily transportation, or which is not licensed for use on the New York highways.

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

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 registration.

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

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

Commuter/Carpool Vehicle - A vehicle parked within the Dalton Farm community for the purpose of carpooling.

B. Streets and Other Parking Area Definitions

Private Individual Driveways - Paved driveways located on an individual owner's lot leading to the individual owner's garage.

Private Common Driveways (Carriage Homes on Roosevelt) - Paved driveways located on more than one lot leading to each lot owner's private driveway.

Snow Event - Any type of precipitation from November 1 through April 1

Visitor Parking Spaces - Paved parking spaces that are on common property.

Private Roads - Paved roads owned and maintained by the Dalton Farm Homeowners Association. The following roads are private.

Bryant Street, Bush Creek, Carriage Crossing, Cornwell Street, DeLong Street, Dodge Street, East Saw Mill, Equestrian Way, Ferris Glen, Griffen Street, Mill Pond Lane, Mt. Pleasant Drive, Osborne Glen, Pleasant Glen, Sheldon Glen, Skidmore Road, Sweet Way, Thomas Road, Tibbet Way, Underhill Road, Vanderburgh Road, Van Scoy Road, West Saw Mill, Roosevelt House driveway and parking area

Public Roads - Paved roads owned and managed by the Town of Beekman. All state and county laws are enforced by the Dutchess County Sheriff and the New York State Police. Fordington Drive and Roosevelt Drive are public roads.

C. Other Definitions

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

Fire Lanes - All areas designated as fire lanes and marked with signs and/or yellow striping.

Owner- The record holder of the title to any Lot in Dalton Farm, whether one or more persons.

Resident - Anyone who resides in Dalton Farm and occupies a residence.

Private Property - All real property owned by private individuals and not commonly owned by the Dalton Farm Homeowners Association nor owned by Town, County or State.

Good Standing - The status of any Dalton Farm owner or resident who is not in violation of the Declaration, By-Laws, or Rules and Regulations of the Association, which includes any homeowner who is in arrears on common charges, late fees, fines, or legal charges by the Association.

PARKING RULES

A. General Parking Rules

1. Vehicles may not be parked on any private road within Dalton Farm between the hours of 1am and 6am without first informing the managing agent. The managing agent must be informed during regular business hours. **Violation of this rule will result in a \$25.00 fine for each occurrence. Warning letters will not be issued.** You may access the Association's General Rules and Regulations on the *DaltonFarm.info* website.

2. 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.
3. It is prohibited to park any motor vehicle on any non-paved common area or on any non-paved private property. The overflow parking area at the Roosevelt House is excluded from this rule.
4. In Townhome areas, vehicles may not be parked on the street at any time.
5. In single-family home areas, cars may be parked on the street to accommodate dinner and party guests but said cars may not be parked between 1am and 6am or during a snow event or they will be towed at the vehicle owners' expense.
6. During a snow event, any cars that are not moved from the guest lots or private roads will be towed at the vehicle owners' expense.
7. Any vehicle parked in a fire lane is subject to ticketing and/or towing.
8. It is a fire lane violation to have any portion of a parked vehicle extend onto a private road.
9. All owners are responsible for notifying any present resident, guest, or invitee on their property of the parking restrictions 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.
10. Parking which blocks driveways is prohibited.
11. It is prohibited to double park.
12. Visitor parking spaces and/or driveways are not to be used for storage.
13. 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.
14. It is prohibited to abandon a vehicle on common property or on a private or public road.
15. Commuter vehicles belonging to individuals carpooling with Dalton Farm residents may only park on public roads, or in the private driveway of the Dalton Farm resident in the carpool. Visitor parking may not be used for this purpose.
16. It is prohibited to park vehicles with expired or missing license plates, registration and/or state inspection stickers on common property or in private driveways (including private roads).
17. Operation of motorbikes is not permitted on Dalton Farm property. This includes recreational vehicles and motorcycles. However, a motorcycle used as transportation is permitted to leave the premises and return later. In no event is the use of motorcycles permitted to ride up and down the streets of Dalton Farm simply for recreation.
18. It is prohibited that anyone park in a handicapped space that does not have a valid permit.

B. Recreational Vehicle Parking/Storage Rules

1. It is prohibited to park or store recreational vehicles in open view on driveways, visitor parking spaces, common areas, or on private roads.
2. Recreational vehicles must be parked or stored out of sight within the garage of the resident's property when not in use.

C. Commercial Vehicle Parking Rules

1. In order to park a commercial vehicle that is defined ONLY by advertising lettering in our community, the following criteria must be met.
 - i. any signage must be completely covered,
 - ii. the signage cover must be of similar color to the vehicle,
 - iii. the signage cover must not be unreasonably large or unreasonably configured,
 - iv. the signage cover must be approved by the Board,
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 overnight.
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, private driveway, or public road.

D. Rules Pertaining to Visitor Parking Spaces

1. Certain parking spaces in the Association are "Visitor". Visitor parking spaces are for the use of visitors only. It is expressly prohibited for any Dalton Farm resident living in that area or private road to use a Visitor parking space.
2. Visitor parking spaces are utilized on a first-come, first-served basis and are not assigned to a specific lot.
3. 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.
4. 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.
 - i. the vehicle's tag number,
 - ii. the address of the resident being visited,
 - iii. the duration of the intended visit
5. Vehicles in the community for more than thirty (30) days will be considered resident vehicles and may not be parked in Visitor parking spaces.
6. No person shall, through custom or alleged past practice, establish a right to a visitor parking space.
7. Commuter vehicles belonging to individuals carpooling with a Dalton Farm resident may not park in Visitor parking spaces. These commuter vehicles should be parked on a public road or in the private driveway of the Dalton Farm resident in the carpool.

ENFORCEMENT

A. General

1. The designee for the administration of these guidelines is the Managing Agent. Owners and residents may report violations of the policy to the Managing Agent.

McGrath Management, LLC

1028 Main Street

Fishkill, NY 12524

Telephone: 845-896-5444 x109 (Nicole Crouse)

2. The Managing Agent reserves the right to tow vehicles in any named violation in these guidelines.
3. 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.
4. It is the responsibility of all owners to comply with these guidelines and to instruct their residents, tenants, guests, and invitees to do so also.

B. Reporting Violations

1. The following violations should be reported directly to the New York State Police.
 - vehicles parked in fire lanes
 - vehicles blocking fire hydrants
2. Vehicle violations that are NOT fire lane/fire hydrant violations (as listed under Number B.1 above) should be reported to the managing agent.

The caller should provide the following information.

- vehicle's make
- vehicle's model
- vehicle's color
- vehicle's license plate number
- vehicle's location
- nature of violation
- date and time of violation
- caller's name, address, and phone number (will be kept confidential)

C. Engagement of Tow Services

Only the managing agent has the authority to have a vehicle towed. The owner of the vehicle is responsible for all costs associated with said towing.

D. Vehicle Violation Penalties

Fire Lane/Fire Hydrant Violation Penalties - These vehicles are subject to immediate ticketing and/or towing by State, county or local law enforcement officers at the expense and risk of the vehicle owner.

Visitor Parking Space Violation Penalties - When a vehicle is parked in violation of the Visitor parking space regulations, the Association will either (1) place a warning notice directly on the vehicle, or (2) 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 seventy-two (72) 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 Visitor parking space regulations. All tows will be at the risk and expense of the vehicle owner.

Handicapped Parking Space Penalties - State, county or local law enforcement officers are authorized to enter our parking lots and to enforce laws governing the use of parking spaces reserved for people with disabilities. These vehicles are subject to immediate ticketing and/or towing at the expense and risk of the vehicle owner.