

TAB 9

Proposed Changes to PRP 5 Entry, Road Use and Parking

Issue:

At the Safety Town Hall in August, our security service brought up several issues. Two of them can be made clearer to members and personnel by making changes to PRP 5 Entry, Road Use and Parking.

Background:

Apparently motorcycles have been allowed to enter Lake Holiday without having their identification checked even if they are visitors.

Boats and boat trailers must enter through the left entry lane. However there is nothing in the PRP that addresses which lane campers and other kinds of trailers are to use.

Recommendation:

Add/change the language in PRP 5 to address these issues. SEE changes in red to PRP 5.

Motion:

Approve changes to PRP 5.

Pat Majewski

September 13, 2020

Lake Holiday

POLICIES, RULES AND PROCEDURES **PRP NO. 5**

Entry, Road Use and Parking

Revised and

Approved by the Board of Directors

Date: September 25, 2018

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PRP NO. 5 ENTRY, ROAD USE, AND PARKING

SECTION A. PURPOSE

The purpose of this document is to establish the policy and procedures for entrance gate access to Lake Holiday Country Club, Inc. (LHCC), road use and parking rules within the community and law enforcement's responsibility for traffic violations. As a gated community, Lake Holiday limits entry into the community in order to maintain the privacy of its property owners and tenants of record.

SECTION B. POLICY

1. The LHCC-owned roads are designated as public "highways" for law enforcement purposes including for felonies, misdemeanors and traffic infractions as written in the Frederick County ordinances. [Chap 158, Art. IV, Sec. 158-18 The Summit] (<https://ecode360.com/8707705>).
2. Private Security personnel are responsible for enforcing rules and regulations of LHCC and for protecting Association common areas and assets as provided for in the contractual agreement and/or otherwise agreed upon in writing by the security contractor and Association management/staff.
3. Frederick County Sheriff's deputies enforce state law and local ordinances and may stop vehicles, issue citations for traffic violations, and arrest for reckless driving or DWI.
4. Only vehicles that comply with Title 46.2 Motor Vehicles, Code of Virginia shall be permitted on Lake Holiday roads. Frederick County has adopted the State Uniform Traffic Code (Title 46.2) in its entirety. All-terrain vehicles (ATVs) are not permitted throughout the Lake Holiday community. <https://law.lis.virginia.gov/vacode/title46.2/>
5. Motor Vehicles without a current registration and license plate are not permitted on roads within Lake Holiday.
6. The storage of unregistered vehicles without a current license plate on a member's lot shall be in accordance with the applicable Section's Deed of Dedication and Frederick County ordinance.
7. Property owners are responsible for the actions of themselves, their families, authorized visitors, contractors, and tenants while within Lake Holiday.

SECTION C. ENTRY PROCEDURES

1. **Property Owners, Tenants, Visitors:**
 - a. Property owners, tenants of record, adult residents age 18 and over and Lake Holiday staff are the only individuals who may authorize the admission of visitors or contractors to Lake Holiday. Minor children (under age 18) and guests of the owner or tenant may not authorize entry.
 - b. Owners and tenants are responsible for notifying their visitors of the requirement to present proper ID to enter Lake Holiday. Any visitor refusing to show proper ID will not be allowed to enter the community.
 - c. Gate Security personnel are required to refuse admission to any individual for whom LHCC has issued a No Trespassing Order. A No Trespassing Order may not be overridden by any

property owner or tenant. The General Manager has the sole authority to withdraw a No Trespassing Order.

2. **Motor Vehicle Bar Code Decal:**

- a. Owners in good standing and their tenants may obtain bar code decals at the administrative office for their own registered vehicles. When properly installed, the decal will open the automatic entrance gate in the right lane. The bar code decal must be installed and visible at all times within Lake Holiday.
- b. Bar code decals shall be issued for temporary registrations/tags only until the expiration date of the registration/tag after which time the bar code label will automatically deactivate. In order to prevent deactivation, it is the sole responsibility of the member to update the Administrative Office immediately upon receipt of permanent registration/tag so that the deactivation can be removed in the system.
- c. Only one bar code decal per owner in good standing, regardless of the number of lots owned, will be issued free of charge. A \$10.00 fee will be charged for each additional decal. Tenants do not receive free bar code decals.
- d. Owners who are delinquent in paying assessments will have their bar code decal deactivated.
- e. Bar code decals that fail to operate properly through no fault of the owner will be replaced at no cost.

To obtain bar code decal(s) a valid driver's license (or other government issued photo ID) and current registration for each vehicle to be registered must be presented. Tenants must also present a valid current lease or rental agreement.

- f. Motorcycle owners may obtain a \$5 special sticker from the administrative office. Only one such sticker will be issued per motorcycle. The sticker shall be placed on the top of the engine in front of driver seat so that the security officer may easily see it upon entry. The owner must present their registration to receive the pass. MOTORCYCLES SHALL USE LEFT-HAND LANE TO ENTER. ~~Motorcycles shall use the left hand lane to enter.~~

3. **Boats and Boat Trailers:**

- a. Boats and Boat Trailers must display applicable current Lake Holiday stickers at all times within Lake Holiday. Boat and trailer stickers are issued in accordance with PRP 3, Lake Use and Boating.
- b. Residents bringing unregistered boats into Lake Holiday will be issued a Non-Lake Use sticker until the boat is properly registered. The guard will personally affix the Non-Lake Use sticker to the boat before allowing entry. A Non-Lake Use sticker is sufficient for storing boats and trailers in the Lake Holiday storage lot only.
- c. Visitors are not permitted to bring boats or watercraft of any kind into the community. Contractors are permitted to bring boats into Lake Holiday if authorized by the general manager or his staff.

d. All trailered boats, regardless of the owner's membership status, must enter the front gate through the left lane.

~~d.~~

4. Vehicles Towing Trailers and Campers:

e. All vehicles towing trailers or campers must enter the front gate through the left hand lane.

4. 5. Visitor Passes:

- a. Gate Security will issue a Visitor Pass to all authorized visitors and contractors who will be in the community for more than one day. The Visitor Pass must be placed on the dashboard in clear view through the windshield at all times within Lake Holiday.
- b. One-day visitors will not receive a Visitor Pass.

SECTION D. ENTRY AND AUTHORIZATION PROCEDURES

- 1. **Right Lane Entry (Bar Code Decal):** Owners and tenants with an active bar code decal enter in the right entry lane with the automatic gate.
- 2. **Left Lane Entry:** All vehicles without an active bar code decal must enter using the left entry lane. All vehicles must come to a complete stop at the gate. **All vehicles will be challenged by the gate guard EXCEPT for the following:**
 - Lake Holiday Vehicles
 - Law Enforcement Vehicles
 - Emergency Vehicles
 - Major-Branded Delivery Vehicles (UPS, FedEx, DHL, et cetera.)

All other commercial and service vehicles, government vehicles, real estate appraisers and home inspectors will be permitted to enter without authorization after stopping at the gate, identifying the address(es) being visited for security to record, producing their driver's license for scanning, and producing company credentials/identification (if applicable).

3. Owners or Tenants Using Left Entry Lane:

- a. An owner or tenant must present a valid driver's license (or other government issued photo ID) that matches a list of owner and tenant names on file in order to gain entry.
- b. Owners and tenants are encouraged to register driver's license numbers for all household members. The driver's license registration will expedite entry in a vehicle without a bar code decal.
- c. Tenants must present a valid lease or rental agreement at the administrative office to have their name registered for entry using an ID.
- d. Owners and tenants towing boat trailers, other types of trailers, and campers must use the left entry lane.
- e. Motorcycles must use left entry lane.
- e. —

4. Pre-Authorized Temporary Visitors:

- a. Owners and tenants may pre-authorize short term visitors for a period up to 7 days. After 7 days the visitor must be reauthorized. One-day visitors will not receive a Visitor Pass. Temporary authorization is intended for occasional guests or for temporary workers needing entry.
 - b. **CapSure online authorization:** Owners and tenants may pre-authorize visitors using the CapSure web portal located on the Lake Holiday website. An online tutorial and Guest Registration Guide are available on the website. Owners and tenants must first contact the administrative office to obtain an ID and Password for access to online authorization. This is the preferred method of authorization.
 - c. **Telephone authorization:** Owners and tenants may also pre-authorize up to 5 visitors by phone. Phone authorizations can be made either to the Lake Holiday Gate House or the administrative office. Phone authorization should be made from a pre-authorized phone number to ensure that the caller is an owner or tenant. Contact the administrative office to register any phone numbers to be used for phone authorization. A driver's license number will be used for identification if calling from an unregistered phone number.
 - d. Visitors must use the left entry lane, stop at the gate and present a valid driver's license (or other government issued photo ID) to the guard. The visitor must give the guard the name and address of the owner or tenant they are visiting. After verifying the visitor's name on a list of authorized visitors, the guard will issue the driver a Visitor Pass if visiting the community for more than one day. The Visitor Pass must be placed on the dashboard in clear view through the windshield at all times when the vehicle is in Lake Holiday.
 - e. Persons already with a current, valid Visitor Pass should present the pass to the gate guard. The guard will scan the pass to confirm it is still valid (not expired or revoked) and then open the gate for entry.
5. **Permanent Visitor Authorization:** Owners and tenants may authorize up to five (5) visitors such as family members, childcare providers, etc. to have permanent visitor authorization. A written list must be provided to the administration office. The owner or tenant is responsible for the actions of their permanent visitors at all times while within Lake Holiday. Visitors will remain authorized to enter Lake Holiday until the owner or tenant notifies the office to end their authorization.
6. **Visitor entry without Pre-Authorization:**
- a. Visitors must use the left entry lane, stop at the gate and present a valid driver's license (or other government issued photo ID) to the guard. The visitor must give the guard the name and address of the owner or tenant they are visiting. If the visitor's name is not on the pre-authorization list, the guard shall make a reasonable attempt to contact the owner (or tenant) being visited using only the telephone number for that owner (or tenant) on file. If the owner or tenant is reached the guard will verify their identity and authorization may be given. The guard will then issue a Visitor Pass valid for not more than seven (7) days.
 - b. One-day visitors will not receive a Visitor Pass.
 - c. If the owner or tenant being visited cannot be contacted, entry will not be permitted.
 - d. The Visitor Pass must be placed on the dashboard in clear view through the windshield at all times when the vehicle is in Lake Holiday. The pass must be presented to the guard to expedite reentry and return to Lake Holiday during the authorized visit.

7. Group authorization:

- a. The administrative office can provide group authorizations for parties, weddings or other special events of six (6) or more at Lake Holiday.
- b. A written list of visitors to be authorized must be provided to the administrative office a minimum of 48 hours prior to the entry date.

8. Contractor Authorization:

- a. Owners and tenants may authorize short-term contractor entry as temporary visitors (see above). Owners may request an Extended Contractor Pass for contractors who will be working in Lake Holiday for an extended period of time such as new home construction.
- b. The owner must provide this request in writing to the administrative office and include the company name, reason for request, and time frame of request. To cover potential road damage, a contractor fee may be charged related to the number and size of vehicles.

9. Real Estate Authorization, Model Home, and Open House Visitors:

- a. No individual will be allowed to view any resale property within Lake Holiday unless accompanied by a licensed real estate agent or the property owner. Realtors escorting clients into Lake Holiday must continually accompany them until those clients leave Lake Holiday.
- b. Realtors will be admitted into Lake Holiday when they present their driver's license (or other government issued photo ID) and their business card to the guard at the gate.
- c. Real estate open houses may be held on any Wednesday or Sunday, except holidays between the hours of noon and 4:00 p.m., unless the administration office has pre-approved other arrangements. The realtor is required to provide the gate guard, in writing, the address(es) of the open house(s). It is recommended that the realtor provide maps for the gate guard to distribute to open house visitors. Visitors must provide the address of the open house and present a valid driver's license (or other government issued photo ID) in order to gain entry.
- d. Real estate sales offices and models may be open any day. When open, the person staffing the sales office or model shall inform the gate guard that the office or model is open. Visitors shall receive a Visitor Pass to visit an open model or sales office.

10. Repossession Entry and Authorization:

- a. Repossession agents must contact the Lake Holiday administrative office and obtain authorization prior to coming to the gate. The office will call the gate to authorize entry and issue a 3-day printed pass signed by office staff. The 3-day special pass must be presented to the guard.
- b. After entry, repossession agents must first go to the administrative office and present a valid driver's license (or other government issued photo ID) and business card. The office will make copies of their paperwork to retain in the resident's file and verify that the resident still lives in the community. The repossession agent may not enter Lake Holiday for any other purpose.

SECTION E. ADHERENCE TO TRAFFIC AND PARKING REGULATIONS

Any individual operating a vehicle within the community must observe all traffic rules and regulations relating to:

1. **Speed:** The maximum speed on any road within Lake Holiday is twenty-five (25) miles per hour, unless otherwise posted. Common sense should dictate slower speeds during periods of inclement weather or when road surface conditions are dangerous.
2. **Traffic Signs:** All posted traffic signs are to be observed. For example, a stop sign requires coming to a complete stop before proceeding.
3. **Parking:**

- a. Definitions for purposes of this PRP No. 5:

"Roadway" means that portion of the road improved, designed, or ordinarily used for vehicular traffic.

"Common area on the side of the roadway" means the area on the side of the roadway that is owned by Lake Holiday Country Club which is the owner of all platted roads in the development. The deed plats indicate the roads are generally 60 feet wide. Therefore, generally 30 feet on either side of the center of the roadway surface is common area, owned by the association. It's the owner's responsibility to know where their property line is.

"Passenger vehicle" means motorcycles, automobiles, minivans, sport utility vehicles, and light duty pickup trucks used primarily for transport of passengers.

"Commercial vehicle" means any motor vehicle or trailer with commercial license plates/registration and used for purposes of transporting property or performing services other than or in addition to personal passenger transportation.

"Unauthorized vehicles" means boats, boat trailers, trailers, semitrailers, camping trailers, motor homes, tractor trucks, buses, minibuses and any box trucks and pickup trucks except for "dually" pickups used for passenger transportation.

"Construction equipment and vehicles" means tractors, dump trucks, machinery, or other mechanical equipment either self-propelled or towable.

- b. Passenger vehicles shall be parked on the owner's lot (preferably the driveway). Passenger vehicles may also be parked in common area directly in front of the owner's lot or in a designated parking area. However, no passenger vehicle shall be parked on the roadway surface except as permitted in (b) below. All wheels shall be off the roadway surface.
- c. In order to accommodate short-term visitors and private events, passenger vehicles may park on common area on the side of the roadway for up to 48 hours with wheels on the road surface not to exceed two (2) feet. No vehicle may park in such a way as to block emergency vehicles from passing.
- d. No passenger vehicle shall be parked on common area on the side of the roadway in front of another lot owner's property overnight without the permission of the owner or tenant.
- e. No passenger vehicles shall be permitted to park across from another lot owner's driveway so as to impede safe exit from the driveway.

- f. Passenger vehicles that do not have a current license plate, registration sticker and a Virginia state inspection sticker (if registered in Virginia) shall not be stored or parked on common area on the side of the roadway.
- g. No unauthorized vehicles shall be parked or stored on the roadways or on common area by the sides of the roadways except as otherwise authorized in section g.
- h. Commercial vehicles may park on common area on the sides of the roadways with wheels on the roadway during normal work hours (7 am to 7 pm, Monday through Friday) and during weekend emergencies as long as no more than one-third (1/3) of the lane is obstructed and warning devices are placed to adequately warn traffic of the obstruction. At all other times commercial vehicles shall not be parked on common area on the side of the roadways, even if completely off the road surface. Exempt from this rule are passenger vehicles that exhibit signage.
- i. No construction equipment or vehicles shall be parked or stored on the roadways or on common area on the sides of the roadways except during ongoing construction of a house or house addition.
- j. During a snow or ice event, all vehicles shall be removed from the roadways and from common area on the sides of the roadways as determined to be necessary by administrative office so as to allow efficient and safe plowing of the roadways.
- k. The administrative office may grant a temporary waiver of any parking rule in special situations and may block roads and redirect traffic as needed. This waiver may not be for more than 48 hours and may be revoked at any time without cause. Any request for a permanent waiver of any parking rule shall be approved by the Board of Directors.
- l. Lake Holiday Country Club shall have the right to tow any vehicle parked in the common area in violation of the parking regulations. The administrative office shall make a reasonable attempt to contact the owner of the vehicle and/or have the vehicle moved before towing. The owner of the vehicle or his authorized representative shall have forty-eight (48) hours to move the vehicle off of common area. This 48-hour grace period shall only apply to the first such violation. Subsequent violations for the same offense may be subject to immediate towing. Towing and related charges shall be at vehicle owner's sole expense.
- m. Any resident, tenant or guest, who parks a motor vehicle or otherwise stores construction equipment in the common area on the sides of the roadways, does so at their own risk; and by parking or storing equipment in the common area relieves Lake Holiday Country Club, Inc., from any liability, claims or damages sustained, which may occur to the vehicle or equipment parked in the common area, or any other claim which may arise from the vehicle or equipment being parked in the common area; including but not limited to damage from road maintenance activity, snow removal activity and/or towing or removal of unauthorized vehicles and/or equipment ("illegally parked").

SECTION F. ENFORCEMENT

1. Private security officers are responsible for the enforcement of Lake Holiday traffic rules, including ensuring that all vehicles have the proper Visitor Pass or bar code decal displayed at all times
2. Frederick County Sheriff's deputies are responsible for enforcement of state law and local ordinances for traffic regulations within the Lake Holiday community.
3. Illegally parked vehicles are subject to towing. (See Section E.3.k above)

SECTION G. COURTESY NOTICE AND CITATION NOTICE ISSUANCE

1. **A Courtesy Notice** will be issued, in accordance with Lake Holiday Policies, Rules and Procedures, for failure to have a current Lake Holiday bar code decal or Visitor Pass properly displayed on a vehicle within Lake Holiday.
2. **A Citation Notice** will be issued, in accordance with Lake Holiday Policies, Rules and Procedures, for roadway violations, which includes speeding, failure to follow traffic rules, not observing posted traffic signs, or illegal parking. Security may document non-compliance with radar guns, video cameras and photographs.
3. **Property Owner, Tenant or Authorized Guest Drivers:** A Courtesy Notice or Citation Notice will be mailed to the property owner within five (5) business days of the alleged offense. This will include alleged violations by a tenant or by a guest of the property owner or tenant.
4. **Vendors or Tradesmen:** Based on the license plate number and its vehicle registration, a Citation Notice will be mailed to the driver's company address of record. Repeat violations by the same vehicle will result in that company losing all further access privileges to Lake Holiday.
5. **Builders and Subcontractors:** If a builder or builder's subcontractor is issued a Citation Notice, the builder's conformance bond will be debited \$50 for each violation.
6. **Lake Holiday Employee:** If a community vehicle is cited for traffic violations, the driver will be subject to progressive discipline in accordance with the LHCC Employee Manual.

REVISION HISTORY

Revision	Approval Date	Subject	Revised Sections	Initialed for LHCC Records Entry:
V1		Original		
V2	1/29/2009	Incorporate former Article XIII	All	
V2.1	3/31/2009	ATV use	B.5.c	
V3	8/24/2010	Parking on roads	B.6.a.(3)	
V4	1/25/2011	Left lane full stop at gate	C, C.1.a, C.2.a	
V5	3/22/2011	Type of hanging tags	C.2	
V6	8/23/2011	Entry process	D	
V7	7/24/2012	Implement Capsure, Resolution 2002-13. Resolution 2009-01, PRP-8	D.7; B.4.d, B.5.a.(3); C.6.a, C.6.b; D.9.a, D.9.b	
V8	9/24/2013	Policy	B.1.b.,B.4.f., B.5.a.(3),(4), (5),(6), C.1.	
V9	10/22/2013	Policy	B.1.b.,B.4.f., B.5.a.(3),(4), (5),(6), C.1.	
V10	8/26/2014	Required registration, number of free decals, number of visitors by phone authorization, group authorization	B.4.c, C.1.b, C.2.b, C.2.c	
V11	8/25/2015	Rearrange section, removal of process servers, no one-day guest passes, new exceptions list, new parking regulations	B, C, D, E, F	
V12	6/28/2016	No barcodes for temporary tags	B.4.b, D.1.a	
V13	12/20/2016	Adherence to traffic & parking regulations, enforcement	E.3	
V14	2/28/2017	Adherence to traffic & parking regulations	E.3	
V15	09/25/2018	Reformatting & reorganization across all provision; divided into two "main" features (General & Gate Entry); added temp registration; revised motorcycle language to reflect current practice; tightened up who will be challenged & requirements for ID; waivers reduced from 7 days to 48 hours; clarified law enforcement's role in enforcement activities.	A, B, C.2.b, C.2.g, D, E, F	ALM