

Brandy Mill HOA Board of Directors
Commercial Vehicles Interpretation

Commercial Vehicles

Item 11 of the Declaration of Conditions, Restrictions, Covenants and Limitations of Brandy Mill Subdivision states: "No house trailer or mobile home shall be occupied or stored on any lot. Other habitable mobile vehicles, motor homes, camper trailer, school buses, trucks (other than pickups), or other commercial vehicles, boats or trailers shall not be kept, stored or parked overnight, either on any street or any lot, except within enclosed garages or the rear of a permanent dwelling which is enclosed with a solid wood or masonry fence."

This item within the declaration does not include a definition of "Other Commercial Vehicles".

The Brandy Mill Board of Directors interprets the definition of "other commercial vehicles" as it would apply to Brandy Mill, as follows:

- a. The State of South Carolina Department of Motor Vehicles does not have an official definition of "Commercial Vehicles:
- b. The Board reviewed numerous definitions for a "Commercial Vehicle" from a variety of other HOAs and from our HOA attorney.
- c. "Other commercial vehicles" will be interpreted to mean any self-propelled or towed motor vehicles used on a highway in interstate commerce to transport passengers or property when the vehicle meets any of the criteria listed below:
 1. Has a gross weight or gross combination weight rating, or gross vehicle weight or gross combination weight, of 10,001 pounds or more, whichever is greater; OR
 2. Are designed or used to transport more than 8 passengers (including the driver) for compensation; OR
 3. Are designed or used to transport more than 15 passengers (including the driver), and is not used to transport passengers for compensation; OR
 4. Are used in transporting materials found by the Secretary of Transportation to be hazardous under 49 U.S.C. 5103 and transported in quantities requiring placarding under regulations prescribed by the Secretary under 49 CFR, Subtitle B, chapter 1, subchapter C.
 5. In addition to the above definition, "other commercial vehicles" will include:
 - Step vans, taxicabs, buses, dump trucks and tow trucks. This does NOT include standard sized-pickup trucks or small vans (not exceeding 7 feet, excluding exterior rear-view mirrors, in width or 20 feet in length) used for both business and personal use, provided that any signs or markings or a commercial nature on such vehicles shall be unobtrusive and inoffensive as determined by the Board of Directors.
 - Vehicles over 21 feet in length
 - Vehicles over 102 inches in width
 - Attached trailers for commercial use
 - No vehicles will be allowed that have attached to their exteriors, or stored within the vehicle where visible to the general public any ladders, other commercial tools or equipment or trash and/or garbage.