



P.O. Box 61731, Santa Barbara, CA 93160

December 2014

More Mesa Shores Homeowners Association Policy for the Towing of Vehicles

Policy intent: The intent of this policy is to establish a protocol for the Board of Directors (BOD) to follow for removing vehicles illegally parked within More Mesa Shores as defined in Articles IV 4.07 and VI (i) of the Conditions Covenants and Restrictions (CC&Rs), and is deemed as trespassing as defined in California Vehicle Code (**CVC**) 290. The Policy is not intended to selectively enforce the parking rules by use of towing upon Members and their guests.

Policy justification: The BOD and the Association members are expected to enforce and encourage the preservation of the quality of living within the boundaries of More Mesa Shores as defined in *The Vision Statement* of the CC&Rs for the More Mesa Shores Homeowners Association (MMSHOA).

Policy Procedures:

1. The MMSHA BOD only, will maintain an exclusive agreement with a qualified Towing Service to allow the towing of vehicles as defined in **CVC 22658**. Only active BOD members may contact the Towing Service.
2. Maintenance of this agreement will include: Supplying an active contact list of the current BOD and the review of all towing activities of the previous year.
3. MMSHA members are encouraged to report to a BOD member, any vehicle parked in the roadway and deemed not owned by a MMSHA member or guest and not conducting legitimate business within the More Mesa Shores boundaries. This should include a survey of surrounding residences to establish why the vehicle is parked on the street. Only active BOD members can make a final determination of vehicle intent and initiate a tow after receiving the request from the member.
4. After a BOD member receives a towing request, consultation with another BOD member is highly encouraged to avoid mistaken vehicle intent and ownership.
5. After the towing company has been contacted, the reporting BOD member must be available to greet the towing company and verify the correct vehicle to be towed.
6. The BOD will maintain a log of vehicles towed to include location, license plate number, vehicle description, and reason for towing.

Definitions:

1. *The Vision Statement*: A statement located at the beginning of the CC&Rs document that lists the desired amenities for living in MMS, and responsibility of each member, and the BOD to uphold and protect those amenities.
2. *Article IV, 4.07*: "...This grant of easement shall specifically exclude the right to park motor vehicles, trailers, boats or utility vehicles on the easements.
3. *Article VI, 6.02 (i)*: "...Parking: Sufficient parking needs to be provided on the Lots; pursuant to Section 4.07 (a) herein, vehicles may not park on private road easements.
4. *CVC 290*: defines MMS is of private ownership and can be used for vehicular travel by the owners and their guests, but not by members of the public.
5. *CVC 22658*: Defines what is required to legally tow a vehicle away by a towing company.