

MUTUAL OPERATIONS

SHAREHOLDER REGULATIONS

Towing Vehicles – Mutual Three

A towing program is hereby established regarding removal and towing of vehicles parked on Mutual Three property. The authority for this action is based upon, without limitation, California Vehicle Code section 22658 (“CVC”), as may have been or may be amended or modified and formally adopted, from time to time. This policy shall conform to the CVC, and shall be updated to conform to the CVC, without formal amendment, if the CVC is amended by the legislature of the State of California.

In conformity with the CVC, there must be displayed, in plain view at all entrances to the premises at Leisure World Seal Beach (“LWSB”), a sign not less than 17” (inches) by 22” (inches) in size, with lettering not less than 1” (inch) in height, prohibiting public parking and indicating that vehicles will be removed at the owner’s expense, and contain the telephone number of the local traffic law enforcement agency and the name and telephone number of each towing company that is a party to a written general towing authorization agreement with Mutual Three. The sign may also indicate that a citation may be issued for the violation. Pursuant to this requirement, Mutual Three must enter into written general towing authorization agreements with one or more towing companies whose information must be included on the signs described herein.

In the event Mutual Three authorizes the removal of any vehicle parked on its property, an officer from Mutual Three must be present at the time of removal to verify the alleged violation and provide written authorization to the towing company. This written authorization must include:

1. The make, model, vehicle identification number, and license plate number of the removed vehicle;
2. The name, signature, job title, residential or business address, and working telephone number of the person authorizing the removal of the vehicle;
3. The grounds for the removal of the vehicle;
4. The time when the vehicle was first observed parked at the private property; and
5. The time that authorization to tow the vehicle was given.

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Mutual Three must also provide the tow truck operator with the name and address of the registered and legal owner of the vehicle, if this information is requested by the tow truck operator and is known to Mutual Three. Notwithstanding for foregoing, the Mutual Three officer providing the written authorization, and who is required to be present on the private property at the time of the tow, does not have to be physically present at the exact location where the vehicle to be removed is located.

Mutual Three must notify by telephone or, if impractical, by the most expeditious means available, the local traffic law enforcement agency within one-hour after authorizing the tow. If the legal or registered owner of the vehicle requests information regarding the grounds for the removal of the vehicle, Mutual Three must provide the same to the requesting owner.

Violations of this Policy that will result in a vehicle being towed are as follows:

A. Abandoned or Inoperable Vehicles

Vehicles on Mutual Three property that lack an engine, transmission, wheels, tires, doors, windshield, or any other major part or equipment necessary to operate safely on the highways, may be towed as long as: (1) an officer of Mutual Three has notified the local traffic law enforcement agency; and (2) twenty-four (24) hours have elapsed since that notification.

B. Hazardous Location Vehicles

The Security Department, or any similar department within LWSB, and which may be re-named from time to time, is hereby authorized by Mutual Three to contact its towing operator when a vehicle is parked within 15 feet of a fire hydrant or in a fire lane, or in a manner which interferes with an entrance to, or exit from, the private property. In these instances, general authorization to remove or commence removal of a vehicle is provided to the towing company, and all removals are subject to the towing company's discretion. Mutual Three and any towing company shall have a written agreement granting that general authorization.

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In order to be authorized to park on Mutual Three property, all motor vehicles, golf carts, and gas or electric carts must have current DMV registration, current license plate tags, and proper insurance as mandated by the State of California. Furthermore, all vehicles parked in any Mutual Three carport, must display proper decal or label, as may be issued by the Security Department or other department within LWSB, unless an exception has been granted. Any vehicle that does not meet the requirements explained in this paragraph, or which violates the Mutual Three Carport Policy 7502.3, shall be considered an “unauthorized vehicle”.

Unauthorized vehicles may be towed if: (1) the vehicle has been issued a notice of parking violation; and (2) 96 hours have elapsed since the issuance of that notice.

MUTUAL ADOPTION:

THREE: 12-9-16

AMENDMENT(S)