Welcome Home to
Wildwood Book!

YOUR “HOMEOWNER’S ASSOCIATION” BOOK OF INFO AND PARKING NEWS!
FOCUS ON TENANTS WHO PAY RENT TO PHOENIX PARK

Your landlord is Phoenix Park and you are renting a unit they manage in a Homeowners Association (“the HOA’s”).
Association units are owned by both private, corporate, and municipal owners.
One of the “OWNERS REPRESENTATIVES” is Phoenix Park…your new landlord!

PHOENIX PARK WILL:

1. Collect rents from you
2. Issue front and garage (if applicable) door keys to you
3. Handle complaints relating to the inside of the unit
4. Issue lease violations and other notices directly to you the resident

FOCUS ON TENANTS WHO PAY RENT TO OTHER OWNERS

Wildwood, one of the 3 Homeowners Associations, will do the following:
1. Assign gate codes, mailbox keys (if Phoenix Park does not have one for you) & parking permits
2. Address concerns about the exterior of the buildings, the roofs, and common areas
3. Issue violations to owners if you breach the Rules and Regulations

THE OWNER OF YOUR UNIT WILL:

5. Collect rent from you
6. Issue front door keys to you
7. Handle complaints relating to the inside of the unit
8. Issue lease violations and other notices directly to you the resident

A Rule in Both HOA’s
Roll trash out on Monday night after 6:00 p.m. for Tuesday morning trash pickup

No satellites can be attached to roofs, siding, or trim.

Contact info for each of the HOA’s and Phoenix Park is listed below:

BROOKFIELD HOA: Malcolm, (916-421-5326)
MORRISON CREEK ESTATES and WILDWOOD HOA: Lisa, (916-821-7796)
PARK APARTMENTS: (916-395-6337)
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WILDWOOD HOA
PARKING INFO
SECOND RESTATED DECLARATION
OF COVENANTS, CONDITIONS AND RESTRICTIONS OF WILDWOOD
(Portion of Villa Towne Homes)

ARTICLE VII

Property Use Restrictions

22. Parking; Trailers, Boats and Motor Vehicles. No vehicle shall be parked or left on any portion of the Property other than within the carport for the Lot such vehicle is attributable to, or within specified parking areas so designated by the Board. The carports are to be used solely for the parking of standard passenger vehicles. No mobile home, trailer of any kind, recreational motor home, boat, truck camper larger than a one ton pickup truck, other recreational vehicle, or commercial vehicle shall be kept in or upon the Property, except as shall be permitted, from time to time, by the Rules or by resolution of the Board. No motor vehicle shall be constructed or reconstructed within the Property. No dilapidated or inoperable vehicle, no vehicle not having current valid license and registration for operation on public streets and highways, no vehicle which is not in compliance with any Rules applicable to the operation of vehicles within the Property, including without limitation any applicable registration and/or vehicle sticker requirements, and no tent or other structure shall be parked, stored or otherwise left on the Property, or any portion thereof, including without limitation carports; provided, however, that the provisions of this Section 23 shall not apply to temporary construction shelters or facilities maintained during, or used exclusively in connection with, the construction of any work or improvement approved by the Architectural Advisory Committee or the Board. No commercial vehicles of any nature shall be parked or stored at any location within the Property, except for commercial vehicles then providing services to Owners or the Association, and in such event only for the duration reasonably necessary to provide such service. For the purposes of this Declaration, the term "commercial vehicles" shall include, although where the context otherwise requires shall not be limited to, any truck exceeding the size of a one ton pickup truck, any van or truck, of any size, containing any attachment used for commercial purposes, any limousine, or any vehicle actually used for the conduct of commercial activities. No vehicle of any kind may be repaired or placed on blocks or other support mechanisms separate from such vehicle at any location within the Common Area, except for emergency repairs. No oil may be changed in any vehicle within the Common Area at any time. The Association, or its designated agents, may cause any vehicle parked or left on a portion of the Property in violation of the provisions of this section to be removed, towed, stored, and/or impounded, immediately and without advance notice, at the expense of the responsible Person, without prejudice to any other recourse available to the Association under this Declaration and all Applicable Laws for any such violation.
These Rules and Regulations (these "Rules"), of Wildwood Homeowners Association (the "Association"), and the Second Restated Declaration of Covenants, Conditions and Restrictions of Wildwood (Portion of Villa Towne Homes), recorded on October 28, 2005, in Book 20051028, at Page 2277, as Document No. 200510282277, in the Official Records of the County Recorder of Sacramento County, California (the "CC&R's"), apply to the Association and all properties subject to the CC&R's ("Wildwood").

I. Vehicle Parking/Repairs/Carports

A. This is a gated community. Please refer to the gate entry rules for specific rules.

B. Each residential townhouse located on a Lot ("Residence") comes with the exclusive right to use two (2) parking spaces located within the carport for such Residence; provided, however, that no vehicle may be parked within any carport, whether by the Owner or any Resident or any other person, unless the vehicle displays a valid and current Resident registration sticker or placard issued by the Association for use on a specific vehicle duly registered with the Association for the specific carport such sticker or placard was issued for, or a valid and current visitor sticker or placard issued by the Association for use for the specific carport such sticker or placard was issued for, or a valid and current permit issued by the Association for use by a specific vehicle within the specific carport such permit, sticker or placard was issued for no vehicle may be parked within any carport utilizing a visitor sticker or placard duly issued for such carport on more than three (3) calendar days, whether consecutive or otherwise, during any calendar month (i.e., visitor stickers or placards are for use by bona fide short term visitors vehicles intended to be parked at any carport on more than three (3) calendar days in any one calendar month must utilize a permit duly issued by the Association for such vehicle and carport, or be registered as a resident vehicle, and display a valid resident sticker or placard duly issued by the Association for such vehicle and carport).

C. Speeding in excess of 5 mph within Wildwood is not allowed.

D. Leaking of any vehicle fluids or toxic fluid in any carport with Wildwood ("Carport") or within the common areas within Wildwood owned by the Association for the benefit of all Owners ("Common Areas") is not allowed.

E. Owners and/or Residents are required to use the Carport parking stalls for their Residence, exclusively, for parking within Wildwood.

F. Guests may not park in any location within Wildwood, other than in the two (2) Carport spaces for the Residence they are visiting upon duly displaying a valid visitor's permit, sticker or placard for such Carport space, pursuant to the provisions of Section 1.B above, or within an open guest parking space in the designated guest parking area within Wildwood ("Guest Parking"), for a period not to exceed twelve (12) hours in any single day, or sixteen (16) consecutive hours at any time, or on more than seven (7) calendar days, whether consecutive or otherwise, during any calendar month, or such other period as shall be specified in a guest parking permit issued by the
Association, or for such period within a permit only space ("Permit Parking") as shall be specified in a permit duly issued by the Association for the specific vehicle such permit is issued for.

G. There is no other parking available or permitted within Wildwood, and there shall be no parking whatsoever within Wildwood except for parking within Guest Parking, Permit Parking, or authorized parking within Carport stalls, solely as permitted by these Rules. No parking is allowed on alleys or on streets within Wildwood. Any vehicle parked or otherwise located within Wildwood in violation of any provision of these Rules may be towed, or other-wise removed, from Wildwood at the direction of the Association, at the ultimate expense of any responsible Owner and Lot to which any such vehicle is attributable.

H. The Association may establish uniform procedures and fees for the registration of resident and/or authorized guest vehicles, and for the issuance of resident, visitor and/or guest permits, stickers and/or placards. For the purposes of these Rules, carport parking spaces shall be designated as "A" parking spaces, Permit Parking spaces shall be designated as "B" parking spaces, and Guest Parking shall be designated as "C" parking spaces.

I. No motor vehicle may be repaired within any Carport, or within Guest Parking, or within any portion of Wildwood, except for emergency repairs necessary to move the vehicle to a repair facility outside of Wildwood. In the event of any enforcement proceeding relating to vehicle repairs, the burden shall be on the Association to establish re-pairs, and the burden shall be on the Owner to establish the emergency exception for any such repairs.

J. All vehicles parked within Wildwood must be capable of being operated legally both within Wildwood and on the public streets and highways. As such: (i) all vehicles within Wildwood must be physically operative and licensed and registered with the California Department of Motor Vehicles, or other applicable agency with jurisdiction; (ii) the license and registration for any such vehicle must be current; (iii) any such vehicle must be duly registered with the Association and any other applicable entity for operation within Wildwood; and (iv) any such vehicle must display any required current license tags, decals or permits for any and all such purposes. If an operative vehicle becomes an inoperative vehicle, or otherwise becomes out of compliance with this Rule 1.H (including expiration of any required vehicle registration or permits), within Wildwood, it must be removed from Wildwood within 24 hours of being inoperative, and may not be returned to Wildwood until it is fully operative and in full compliance with all requirements of this Rules I. and H. Vehicles which may not be operated within Wildwood or on public streets may not be stored at any location within Wildwood Carports are for the parking of operative vehicles in full compliance with Rule I. above which are attributable to the Residence for the subject Carport, upon display of the required permit, placard or sticker as specified above, and for no other purpose. There shall be no other items of any kind placed within any Carport, and no loitering by any persons within any Carport, for any purpose, whether peacefully or otherwise, and no other use of any kind may be made of any Carport.
PERMIT PARKING REQUIREMENTS
VC 22658 (a) The owner or person in lawful possession of private property, including an association of a common interest development as defined in ( ) Sections 4080 and 4100 of the Civil Code, may cause the removal of a vehicle parked on the property to a storage facility that meets the requirements of subdivision (n) under any of the following circumstances:  (1) There is displayed, in plain view at all entrances to the property, a sign not less than 17 inches by 22 inches in size, with lettering not less than one inch in height, prohibiting public parking and indicating that vehicles will be removed at the owner’s expense, and containing 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 the owner or person in lawful possession of the property. The sign may also indicate that a citation may also be issued for the violation.  (2) The vehicle has been issued a notice of parking violation, and 96 hours have elapsed since the issuance of that notice.  (3) The vehicle is on private property and lacks an engine, transmission, wheels, tires, doors, windshield, or any other major part or equipment necessary to operate safely on the highways, the owner or person in lawful possession of the private property has notified the local traffic law enforcement agency, and 24 hours have elapsed since that notification.  (4) The lot or parcel upon which the vehicle is parked is improved with a single-family dwelling.  (b) The tow truck operator removing the vehicle, if the operator knows or is able to ascertain from the property owner, person in lawful possession of the property, or the registration records of the Department of Motor Vehicles the name and address of the registered and legal owner of the vehicle, shall immediately give, or cause to be given, notice in writing to the registered and legal owner of the fact of the removal, the grounds for the removal, and indicate the place to which the vehicle has been removed. If the vehicle is stored in a storage facility, a copy of the notice shall be given to the proprietor of the storage facility. The notice provided for in this section shall include the amount of mileage on the vehicle at the time of removal and the time of the removal from the property. If the tow truck operator does not know and is not able to ascertain the name of the owner or for any other reason is unable to give the notice to the owner as provided in this section, the tow truck operator shall comply with the requirements of subdivision (c) of Section 22853 relating to notice in the same manner as applicable to an officer removing a vehicle from private property (c) This section does not limit or affect any right or remedy that the owner or person in lawful possession of private property may have by virtue of other provisions of law authorizing the removal of a vehicle parked upon private property.  (d) The owner of a vehicle removed from private property pursuant to subdivision (a) may recover for any damage to the vehicle resulting from any intentional or negligent act of a person causing the removal of, or removing, the vehicle.  (e)  (1) An owner or person in lawful possession of private property, or an association of a common interest development, causing the removal of a vehicle parked on that property is liable for double the storage or towing charges whenever there has been a failure to comply with paragraph (1), (2), or (3) of subdivision (a) or to state the grounds for the removal of the vehicle if requested by the legal or registered owner of the vehicle as required by subdivision (f).  (2) A property owner or owner’s agent or lessee who causes the removal of a vehicle parked on that property pursuant to the exemption set forth in subparagraph (A) of paragraph (1) of subdivision (l) and fails to comply with that subdivision is guilty of an infraction, punishable by a fine of one thousand dollars ($1,000).  (f) An owner or person in lawful possession of private property, or an association of a common interest development, causing the removal of a vehicle parked on that property shall 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. An owner or person in lawful possession of private property, an association of a common interest development, causing the removal of a vehicle parked on that property, or the tow truck operator who removes the vehicle, shall state the grounds for the removal of the vehicle if requested by the legal or registered owner of that vehicle. A towing company that removes a vehicle from private property in compliance with subdivision (l) is not responsible in a situation relating to the validity of the removal. A towing company that removes the vehicle under this section shall be responsible for the following:  (1) Damage to the vehicle in the transit and subsequent storage of the vehicle.  (2) The removal of a
vehicle other than the vehicle specified by the owner or other person in lawful possession of the private property.  (g) (1) (A) Possession of a vehicle under this section shall be deemed to arise when a vehicle is removed from private property and is in transit.  (B) Upon the request of the owner of the vehicle or that owner’s agent, the towing company or its driver shall immediately and unconditionally release a vehicle that is not yet removed from the private property and in transit.  (C) A person failing to comply with subparagraph (B) of paragraph (1), the vehicle owner or authorized agent shall immediately move that vehicle to a lawful location.  (h) A towing company may impose a charge of not more than one-half of the regular towing charge for the towing of a vehicle at the request of the owner, the owner’s agent, or the person in lawful possession of the private property pursuant to this section if the owner or the vehicle owner’s agent returns to the vehicle after the vehicle is coupled to the tow truck by means of a regular hitch, coupling device, drawbar, portable dolly, or is lifted off the ground by means of a conventional trailer, and before it is removed from the private property. The regular towing charge may only be imposed after the vehicle has been removed from the property and is in transit.

(i) (1) (A) A charge for towing or storage, or both, of a vehicle under this section is excessive if the charge exceeds the greater of the following:  (i) That which would have been charged for that towing or storage, or both, made at the request of a law enforcement agency under an agreement between a towing company and the law enforcement agency that exercises primary jurisdiction in the city in which is located the private property from which the vehicle was, or was attempted to be, removed, or if the private property is not located within a city, then the law enforcement agency that exercises primary jurisdiction in the county in which the private property is located.  (ii) That which would have been charged for that towing or storage, or both, under the rate approved for that towing operator by the Department of the California Patrol for the jurisdiction in which the private property is located and from which the vehicle was, or was attempted to be, removed.

(B) A towing operator shall make available for inspection and copying his or her rate approved by the California Highway Patrol, if any, within 24 hours of a request without a warrant to law enforcement, the Attorney General, district attorney, or city attorney.  (2) If a vehicle is released within 24 hours from the time the vehicle is brought into the storage facility, regardless of the calendar date, the storage charge shall be for only one day. Not more than one day’s storage charge may be required for a vehicle released the same day that it is stored.  (3) If a request to release a vehicle is made and the appropriate fees are tendered and documentation establishing that the person requesting release is entitled to possession of the vehicle, or is the owner’s insurance representative, is presented within the initial 24 hours of storage, and the storage facility fails to comply with the request to release the vehicle or is not open for business during normal business hours, then only one day’s storage charge may be required to be paid until after the first business day. A business day is any day in which the lienholder is open for business to the public for at least eight hours. If a request is made more than 24 hours after the vehicle is placed in storage, charges may be imposed on a full calendar day basis for each day, or part thereof, that the vehicle is in storage.  (j) (1) A person who charges a vehicle owner a towing, service, or storage charge at an excessive rate, as described in subdivision (h) or (i), is civilly liable to the vehicle owner for four times the amount charged.  (2) A person who knowingly charges a vehicle owner a towing, service, or storage charge at an excessive rate, as described in subdivision (h) or (i), or who fails to make available his or her rate as required in subparagraph (B) of paragraph (1) of subdivision (i), is guilty of a misdemeanor, punishable by a fine of not more than two thousand five hundred dollars ($2,500), or by imprisonment in the county jail for not more than three months, or by both that fine and imprisonment.

(k) (1) A person operating or in charge of a storage facility where vehicles are stored pursuant to this section shall accept a valid bank credit card or cash for payment of towing and storage by a registered owner, the legal owner, or the owner’s agent claiming the vehicle. A credit card shall be in the name of the person presenting the card. “Credit card” means “credit card” as defined in subdivision (a) of Section 1747.02 of the Civil Code, except, for the purposes of this section, credit card does not include a credit card issued by a retail seller.  (2) A person described in paragraph (1) shall conspicuously display, in that portion of the storage facility office where business is conducted with the public, a notice advising that all valid credit cards and cash are acceptable means of payment.  (3) A person operating or in charge of a storage facility who refuses to accept
a valid credit card or who fails to post the required notice under paragraph (2) is guilty of a misdemeanor, punishable by a fine of not more than two thousand five hundred dollars ($2,500), or by imprisonment in the county jail for not more than three months, or by both that fine and imprisonment. (4) A person described in paragraph (1) who violates paragraph (1) or (2) is civilly liable to the registered owner of the vehicle or the person who tendered the fees for four times the amount of the towing and storage charges. (5) A person operating or in charge of the storage facility shall have sufficient moneys on the premises of the primary storage facility during normal business hours to accommodate, and make change in, a reasonable monetary transaction.

(6) Credit charges for towing and storage services shall comply with Section 1748.1 of the Civil Code. Law enforcement agencies may include the costs of providing for payment by credit when making agreements with towing companies as described in subdivision (i). (l) (1) (A) A towing company shall not remove or commence the removal of a vehicle from private property without first obtaining the written authorization from the property owner or lessee, including an association of a common interest development, or an employee or agent thereof, who shall be present at the time of removal and verify the alleged violation, except that presence and verification is not required if the person authorizing the tow is the property owner, or the owner’s agent who is not a tow operator, of a residential rental property of 15 or fewer units that does not have an onsite owner, owner’s agent or employee, and the tenant has verified the violation, requested the tow from that tenant’s assigned parking space, and provided a signed request or electronic mail, or has called and provides a signed request or electronic mail within 24 hours, to the property owner or owner’s agent, which the owner or agent shall provide to the towing company within 48 hours of authorizing the tow. The signed request or electronic mail shall contain the name and address of the tenant, and the date and time the tenant requested the tow. A towing company shall obtain within 48 hours of receiving the written authorization to tow a copy of a tenant request required pursuant to this subparagraph. For the purpose of this subparagraph, a person providing the written authorization 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 specified location of where the vehicle to be removed is located on the private property.

(B) The written authorization under subparagraph (A) shall include all of the following: (i) The make, model, vehicle identification number, and license plate number of the removed vehicle. (ii) The name, signature, job title, residential or business address and working telephone number of the person, described in subparagraph (A), authorizing the removal of the vehicle. (iii) The grounds for the removal of the vehicle. (iv) The time when the vehicle was first observed parked at the private property. (v) The time that authorization to tow the vehicle was given. (C) (i) When the vehicle owner or his or her agent claims the vehicle, the towing company prior to payment of a towing or storage charge shall provide a photocopy of the written authorization to the vehicle owner or the agent. (ii) If the vehicle was towed from a residential property, the towing company shall redact the information specified in clause (ii) of subparagraph (B) in the photocopy of the written authorization provided to the vehicle owner or the agent pursuant to clause (i). (iii) The towing company shall also provide to the vehicle owner or the agent a separate notice that provides the telephone number of the appropriate local law enforcement or prosecuting agency by stating “If you believe that you have been wrongfully towed, please contact the local law enforcement or prosecuting agency at [insert appropriate telephone number].” The notice shall be in English and in the most populous language, other than English, that is spoken in the jurisdiction.

(D) A towing company shall not remove or commence the removal of a vehicle from private property described in subdivision (a) of Section 22953 unless the towing company has made a good faith inquiry to determine that the owner or the property owner’s agent complied with Section 22953.

(E) (i) General authorization to remove or commence removal of a vehicle at the towing company’s discretion shall not be delegated to a towing company or its affiliates except in the case of a vehicle unlawfully 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. (ii) In those cases in which general authorization is granted to a towing company or its affiliate to undertake the removal or commence the removal of a vehicle that is unlawfully parked within 15 feet of a fire hydrant or in a fire lane, or that interferes with an entrance to, or exit from, private property, the towing
company and the property owner, or owner’s agent, or person in lawful possession of the private property shall have a written agreement granting that general authorization.

(2) If a towing company removes a vehicle under a general authorization described in subparagraph (E) of paragraph (1) and that vehicle is unlawfully parked within 15 feet of a fire hydrant or in a fire lane, or in a manner that interferes with an entrance to, or exit from, the private property, the towing company shall take, prior to the removal of that vehicle, a photograph of the vehicle that clearly indicates that parking violation. Prior to accepting payment, the towing company shall keep one copy of the photograph taken pursuant to this paragraph, and shall present that photograph and provide, without charge, a photocopy to the owner or an agent of the owner, when that person claims the vehicle. (3) A towing company shall maintain the original written authorization, or the general authorization described in subparagraph (E) of paragraph (1) and the photograph of the violation, required pursuant to this section, and any written requests from a tenant to the property owner or owner’s agent required by subparagraph (A) of paragraph (1), for a period of three years and shall make them available for inspection and copying within 24 hours of a request without a warrant to law enforcement, the Attorney General, district attorney, or city attorney.

(4) A person who violates this subdivision is guilty of a misdemeanor, punishable by a fine of not more than two thousand five hundred dollars ($2,500), or by imprisonment in the county jail for not more than three months, or by both that fine and imprisonment. (5) A person who violates this subdivision is civilly liable to the owner of the vehicle or his or her agent for four times the amount of the towing and storage charges. (m) (1) A towing company that removes a vehicle from private property under this section shall notify the local law enforcement agency of that tow after the vehicle is removed from the private property and is in transit. (2) A towing company is guilty of a misdemeanor if the towing company fails to provide the notification required under paragraph (1) within 60 minutes after the vehicle is removed from the private property and is in transit or 15 minutes after arriving at the storage facility, whichever time is less. (3) A towing company that does not provide the notification under paragraph (1) within 30 minutes after the vehicle is removed from the private property and is in transit is civilly liable to the registered owner of the vehicle, or the person who tenders the fees, for three times the amount of the towing and storage charges. (4) If notification is impracticable, the times for notification, as required pursuant to paragraphs (2) and (3), shall be tolled for the time period that notification is impracticable. This paragraph is an affirmative defense. (n) A vehicle removed from private property pursuant to this section shall be stored in a facility that meets all of the following requirements: (1) (A) Is located within a 10-mile radius of the property from where the vehicle was removed. (B) The 10-mile radius requirement of subparagraph (A) does not apply if a towing company has prior general written approval from the law enforcement agency that exercises primary jurisdiction in the city in which is located the private property from which the vehicle was removed, or if the private property is not located within a city, then the law enforcement agency that exercises primary jurisdiction in the county in which is located the private property.

(2) (A) Remains open during normal business hours and releases vehicles after normal business hours. (B) A gate fee may be charged for releasing a vehicle after normal business hours, weekends, and state holidays. However, the maximum hourly charge for releasing a vehicle after normal business hours shall be one-half of the hourly tow rate charged for initially towing the vehicle, or less. (C) Notwithstanding any other provision of law and for purposes of this paragraph, “normal business hours” are Monday to Friday, inclusive, from 8 a.m. to 5 p.m., inclusive, except state holidays. (3) Has a public pay telephone in the office area that is open and accessible to the public. (o) (1) It is the intent of the Legislature in the adoption of subdivision (k) to assist vehicle owners or their agents by, among other things, allowing payment by credit cards for towing and storage services, thereby expediting the recovery of towed vehicles and concurrently promoting the safety and welfare of the public. (2) It is the intent of the Legislature in the adoption of subdivision (l) to further the safety of the general public by ensuring that a private property owner or lessee has provided his or her authorization for the removal of a vehicle from his or her property, thereby promoting the safety of those persons involved in ordering the removal of the vehicle as well as those persons removing, towing, and storing the vehicle. (3) It is the intent of the Legislature in the adoption of subdivision (g) to promote the safety of the general public by
requiring towing companies to unconditionally release a vehicle that is not lawfully in their possession, thereby avoiding the likelihood of dangerous and violent confrontation and physical injury to vehicle owners and towing operators, the stranding of vehicle owners and their passengers at a dangerous time and location, and impeding expedited vehicle recovery, without wasting law enforcement’s limited resources. (p) The remedies, sanctions, restrictions, and procedures provided in this section are not exclusive and are in addition to other remedies, sanctions, restrictions, or procedures that may be provided in other provisions of law, including, but not limited to, those that are provided in Sections 12110 and 34660.

(q) A vehicle removed and stored pursuant to this section shall be released by the law enforcement agency, impounding agency, or person in possession of the vehicle, or any person acting on behalf of them, to the legal owner or the legal owner’s agent upon presentation of the assignment, as defined in subdivision (b) of Section 7500.1 of the Business and Professions Code; a release from the one responsible governmental agency, only if required by the agency; a government-issued photographic identification card; and any one of the following as determined by the legal owner or the legal owner’s agent: a certificate of repossession for the vehicle, a security agreement for the vehicle, or title, whether paper or electronic, showing proof of legal ownership for the vehicle. Any documents presented may be originals, photocopies, or facsimile copies, or may be transmitted electronically. The storage facility shall not require any documents to be notarized. The storage facility may require the agent of the legal owner to produce a photocopy or facsimile copy of its repossession agency license or registration issued pursuant to Chapter 11 (commencing with Section 7500) of Division 3 of the Business and Professions Code, or to demonstrate, to the satisfaction of the storage facility, that the agent is exempt from licensure pursuant to Section 7500.2 or 7500.3 of the Business and Professions Code.

The 2012 amendment added the italicized material, and at the point(s) indicated, deleted the following "Section 1351"
The Davis-Stirling Common Interest Development Act is the common name of the portion of the California Civil Code beginning with section 1350 which governs condominium, cooperative, and planned unit development communities in California. It was authored by Assemblyman Lawrence W. "Larry" Stirling and enacted in 1985 by the California State Legislature.

Under Davis-Stirling, a developer of a common interest development is able to create a homeowners' association (a HOA) to govern the development. As part of creating the HOA, the developer records a document known as the Declaration of Covenants, Conditions, and Restrictions (CC&Rs) against the units or parcels within the HOA with the county recorder. Even though it is not a governmental entity, the HOA operates like one in some respects. As recognized by the Supreme Court of California, the declaration of CC&Rs are the constitution of the HOA and are legally binding upon residents as long as they do not conflict with state or federal law. [1] CC&Rs, once properly recorded, are presumed valid until proven otherwise. [2] The California Courts of Appeal have explained the quasi-governmental nature of the HOA:

DAVIS STIRLING SAYS THIS ABOUT TOWING:

Starting January 1, 2007, Vehicle Code §22658 was changed so that associations may tow vehicles for parking violations only if:

- appropriate signage has been posted;
- the vehicle has been issued a notice of parking violation and 96 hours have elapsed since the issuance of that notice; or
- the vehicle is inoperable and the local traffic enforcement agency has been notified at least 24 hours prior to towing; or
- the property upon which the vehicle is parked is improved with a single-family dwelling.

Towing Agreements. Associations should enter into written agreements with one or more towing companies (which must be listed on the towing signs) requiring them to comply with the requirements of the Vehicle Code, including:

- providing notice to the local traffic enforcement agency within 1 hour of receiving authorization by the association to tow a vehicle;
- immediately giving notice to the owner of the vehicle of the towing, the grounds for the removal, and the place to which the vehicle has towed;
- providing a copy of the notice to the proprietor of the facility (such facilities must be within a 10-mile radius of where the vehicle was removed), if the vehicle is stored in a storage facility.

Specific Authorization. Except as noted below, each time a vehicle is towed (i) the association must provide a specific signed authorization to the towing company and (ii) a representative of the association must be present when the vehicle is towed. (Veh. Code §22658(l)(1)(A).) The towing request must contain the following information:
ENFORCEMENT TOW

PRIVATE PROPERTY TOWING SPECIALISTS

DEAR RESIDENTS,

WE WOULD LIKE TO INFORM YOU OF A NEW VENDOR TO YOUR COMMUNITY, ENFORCEMENT TOW.

WORKING IN CLOSE COOPERATION WITH MANAGEMENT, ENFORCEMENT TOW SERVICES HAVE BEEN RETAINED TO PROVIDE A FAST, COURTEOUS AND RELIABLE TOW SERVICE FOR THE COMMUNITY.

ENFORCEMENT TOW WILL SERVICE THE PROPERTY 24 HOURS A DAY. ENFORCEMENT TOW IS THE ONLY TOW COMPANY ALLOWED TO REMOVE VEHICLES FROM THIS COMMUNITY. THEY WILL TOW ANY AND ALL ILLEGALLY PARKED VEHICLES AT ANY TIME. THIS INCLUDES, BUT NOT LIMITED TO; RESERVED (TENANT) PARKING, PERMIT PARKING, FIRE LANES, DISABLED PARKING, DOUBLE PARKING, EXPIRED REGISTRATIONS AND ABANDONED / NON-OPERATIVE VEHICLES.

TOWING QUESTIONS / CONCERNS NEED TO BE DIRECTED TO ENFORCEMENT TOW

IF YOU HAVE ANY QUESTIONS OR COMPLAINTS REGARDING TOWED VEHICLES, ADDRESS ALL QUESTIONS OR COMPLAINTS TO ENFORCEMENT TOW MANAGEMENT. IF WARRANTED, ENFORCEMENT TOW MANAGEMENT WILL INVOLVE PROPERTY MANAGEMENT OR SECURITY TO RESOLVE ANY OUTSTANDING COMPLAINTS.

FOR ALL TOW REQUESTS CALL (916) 341-0111

PLEASE REMEMBER ENFORCEMENT TOW IS A VENDOR OF THE COMMUNITY, HERE TO PROVIDE A FRIENDLY SERVICE FOR THE ENTIRE COMMUNITY. WE WOULD LIKE TO THANK YOU IN ADVANCE, FOR YOUR FAST AND COURTEOUS COOPERATION. ENFORCEMENT TOW LOOKS FORWARD TO SERVICING YOUR COMMUNITY AND ENHANCING YOUR STAY!

SINCERELY,

BENJAMIN WHITE
GENERAL MANAGER
Resident Permit Parking In Your Assigned Carport

RESIDENTS are not permitted to park in guest spaces for any reason!

Permit Parking is required in Wildwood HOA.

If your permit is not displayed AND is not attached to the assigned vehicle, your vehicle will be towed. There will be NO FURTHER WARNING will not issue a warning if we determine an exception is warranted for extenuating circumstances.

Your guests can park in your carport if you have only one vehicle or you parked your 2nd vehicle on Creeksedge.

PLEASE NOTE: If your resident permit is displayed while you are parked at the pool, your vehicle will be towed.

IF YOUR PERMIT IS RED
IT IS A RESIDENT PERMIT
DO NOT PARK YOUR VEHICLE IN THE VISITOR PARKING AREA
Note:
We can provide special permits if we determine an exception is warranted for extenuating circumstances.

**Visitor/Guest Parking In Your Assigned Carport**

Your guests can park in your carport if you have only one vehicle or you parked your 2\textsuperscript{nd} vehicle on Creeksedge.

**PLEASE NOTE:** If your resident permit is displayed while you are parked at the pool, your vehicle will be towed.

IF YOUR PERMIT IS RED
IT IS A **RESIDENT PERMIT**

DO NOT PARK YOUR VEHICLE IN THE VISITORS

IF YOUR PERMIT IS WHITE
IT IS A **VISITOR PERMIT** SO

YOU MUST ALSO REGISTER YOUR LICENSE PLATE AT: [www.wildwood.guestparkingpermits.com](http://www.wildwood.guestparkingpermits.com)
Visitor/Guest Parking At the Pool

In front of the Wildwood pool, we have 11 guest parking spaces set aside for your friends and family when they visit. Since we are limited to 11, we need to make sure guest parking is used by visitors only.

**TO PREVENT YOUR GUESTS VEHICLE FROM BEING TOWED FROM YOUR SPACE:**

1. You must provide a Guest Parking Permit must be hung from the vehicle's rearview mirror **AND**
2. Must log their license plate number online in order for hanging Visitors Permit(s) to be valid @ www.Wildwood.guestparkingpermits.com
3. Visitors may park for up to 24 hours in any 7 day period….for example; 8 hrs. For 3 days.