

PARKING RULES AND TOWING POLICY

In the event of a violation of the Project's parking Rules, the Board has the authority, but not the obligation, to tow a violating vehicle at the Owner's expense pursuant to the following Towing Policy:

1. Chapter 2308 of the Texas Occupations Code (the "Code") provides specific guidelines concerning the towing of vehicles parked within the Project. Pursuant to §§2308.252(a)(4) & 2308.251 of the Code, the Association may, without the consent of the owner or operator of an unauthorized vehicle, cause the vehicle and any property on or in the vehicle to be removed and stored at a vehicle storage facility at the vehicle owner's or operator's expense if the vehicle, among other things:
 - (1) is in or obstructs a vehicular traffic aisle, entry, or exit of the parking facility;
 - (2) prevents a vehicle from exiting a parking space in the facility;
 - (3) is in or obstructs a fire lane marked according to Subsection (c); or
 - (4) does not display the special license plates issued under Section 504.201, Transportation Code, or the disabled parking placard issued under Chapter 681, Transportation Code, for a vehicle transporting a disabled person and is in a parking space that is designated for the exclusive use of a vehicle transporting a disabled person;
 - (5) is in or obstructing a portion of a paved driveway or abutting public roadway used for entering or exiting the facility.

Other than under the specific conditions contained in the statute, before the Association may tow an unauthorized vehicle at the expense of the owner or operator of the vehicle, a sign prohibiting the unauthorized vehicles will be placed on the vehicle for at least the preceding twenty-four (24) consecutive hours and remain in place at the time of the towing. Any unauthorized removal of the sign will be subject to a fine of \$500.00.

If the Association does not choose to place the afore-mentioned towing signs, it may tow the vehicle if the owner or operator of the vehicle has received actual notice from the Association that the vehicle will be towed at the vehicle owner's or operator's expense if it is in, or not removed from, an unauthorized space.

In addition, if the Association is unable to effect actual notice to the violating owner or operator, it may use the notice procedure under §2308.252(a)(3) of the Code, as follows:

- (b) A parking facility owner is considered to have given notice under Subsection (a)(3) if:
 - (1) a conspicuous notice has been attached to the vehicle's front windshield or, if the vehicle has no front windshield, to a conspicuous part of the vehicle stating:
 - (A) that the vehicle is in a parking space in which the vehicle is not authorized to be parked;
 - (B) a description of all other unauthorized areas in the parking facility;

(C) that the vehicle will be towed at the expense of the owner or operator of the vehicle if it remains in an unauthorized area of the parking facility; and

(D) a telephone number that is answered 24 hours a day to enable the owner or operator of the vehicle to locate the vehicle; and

(2) a notice is mailed after the notice is attached to the vehicle as provided by Subdivision (1) to the owner of the vehicle by certified mail, return receipt requested, to the last address shown for the owner according to the vehicle registration records of the Texas Department of Transportation, or if the vehicle is registered in another state, the appropriate agency of that state.

(c) The notice under Subsection (b)(2) must:

(1) state that the vehicle is in a space in which the vehicle is not authorized to park;

(2) describe all other unauthorized areas in the parking facility;

(3) contain a warning that the unauthorized vehicle will be towed at the expense of the owner or operator of the vehicle if it is not removed from the parking facility before the 15th day after the postmark date of the notice; and

(4) state a telephone number that is answered 24 hours a day to enable the owner or operator to locate the vehicle.

(d) The mailing of a notice under Subsection (b)(2) is not required if after the notice is attached under Subsection (b)(1) the owner or operator of the vehicle leaves the vehicle in another location where parking is unauthorized for the vehicle according to the notice.

We do not want to tow the vehicles of any person, owner or visitor. Please follow the posted signs and rules. If you have any doubt about a parking issue, please contact the manager before you risk it.