

REVISED VEHICLE, TRAFFIC & PARKING REGULATIONS

Revised June 22, 2020, Activated October 1, 2020

TO ALL HOMEOWNERS AND RESIDENTS OF THE TOP O’ TOPANGA COMMUNITY

This letter and the attached copy of the revised and approved traffic and parking regulations will serve to notify all Homeowners and Residents of the Top O’ Topanga Community of the revised regulations that are in effect as of October 01, 2020.

According to the terms set forth in our Governing Documents, these revised regulations were distributed to all homeowners for a 30-day comment and review period in June of 2020. After further review by our Attorney and the comments received, the updated and revised traffic and parking rules will go into effect and be subject to enforcement as of October 01, 2020.

It is the responsibility of all Residents and Homeowners to read these revised rules carefully and comply with all regulations. It is also the responsibility of all Residents and Tenants to convey the parking rules to their family members and guests. Failure to comply could result in vehicles being towed without notice, Board hearings and possible fines.

Beginning October 01, 2020, according to Regulations 12.2, F & G, all residents (Homeowners and Tenants) will have 30 days to register all their resident vehicles and obtain a windshield sticker that must be placed in a street-visible location. The stickers use static adhesion and will not damage or leave residue. During this 30-day registration period, vehicles parked in common area parking will not be towed as long as they obey all other rules and display a sticker or Homeowner/Resident name, address and phone number.

AFTER THE 30-DAY REGISTRATION PERIOD, ANY VEHICLE NOT PROPERLY REGISTERED, DISPLAYING A STICKER AND PARKED IN A COMMON AREA PARKING SPACE MAY BE SUBJECT TO IMMEDIATE TOWING WITHOUT NOTICE AT OWNER’S EXPENSE AND RESPONSIBILITY.

All Guest vehicles must always display either a TOT Guest Parking Pass or temporarily display Homeowner/Resident name, address and phone number or they may be subject to immediate towing at owner’s expense and responsibility.

The Top O’ Topanga Board and Management hopes that the published traffic and parking rules will make for a more equitable use of guest and common area parking locations.

Thank you for your cooperation.

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12.1 VEHICLES AND TRAFFIC

A. All streets in the Top O' Topanga Community are private and not public thoroughfares. Management maintains the right and authority to administer the use of all thoroughfares and parking policies throughout. Management does not assume any liability nor are they required to police for these activities or the usage described below.

B. All persons operating a motor-powered vehicle, whether gas or electric, must comply with all California Department of Motor Vehicle rules and regulations and any and all additional rules imposed by the Top O' Topanga Community Association while within the Community.

C. Management reserves the right to ban any vehicle from the Community, which in its sole judgement, interferes with the peace, privacy, safety and/or general welfare of Residents after providing the owner with an opportunity to be heard.

D. Vehicles may not block mailboxes, as the postal carriers are not permitted to leave their mail trucks to deliver mail. Vehicles may not block access to driveways except by permission of the Resident (homeowners and tenants). Vehicles interfering with access to driveways may be towed without prior notice and at owner's expense.

E. All autos, trucks, motorcycles, mopeds and other vehicles must not exceed the posted speed limit of fifteen (15) miles per hour and obey all "STOP" signs and other posted regulations. A full stop must be made at all "STOP" signs. Violators may be subject to Association penalties as well as the possibility of additional law enforcement involvement.

F. Motorcycles and mopeds are permitted only as transportation via the shortest route in and out of the Community. Joy riding by Residents (homeowners and tenants) or Guests is prohibited within the Community. Bicycling, skateboarding, roller-skating or rollerblading within the Community must be done responsibly. Management reserves the right to stop any such activities, which it may determine to be hazardous, negligent or irresponsible. Management is not responsible for any injury or damage to any person or property resulting from such activity.

G. Sleeping and/or living in vehicles is not permitted anywhere in the Community. No person may remain overnight or otherwise reside in any Common Area location or RV Storage area in any camper, motor home or other vehicle.

H. Excessive or repeated incidences of noise from car alarms will be considered a nuisance and subject to enforcement action at the discretion of Management.

I. No repairs, restorations, or any mechanical maintenance of any motorized vehicle, boat, trailer, aircraft, or other equipment shall be conducted within the Community, including all streets and driveways, with the exception of minor or emergency repairs. Such repairs are to be confined to the Resident's garage or driveway and may be prohibited, if, in the Board's opinion, such repairs constitute a nuisance. See CC&R's Section 8.9

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J. Vehicle washing is not permitted on Residents' lots or Common Areas except in the designated car wash area located on Cherokee between Mohawk and Aztec. The car wash area is available for Resident (homeowner and tenant) use only and is available for use during the posted hours. Vehicles may not block or use the car wash area for parking and may be towed without prior notice and at owner's expense.

K. No vehicle may block access to any Common Area trash bins. Vehicles may be towed without prior notice and at owner's expense.

L. Any vendor's service, or construction vehicle not being directly used for service or repair at a residence (i.e. cement truck, welding truck, truck carrying heavy material or tools) must be parked on residential property or in Common Area parking spaces. At no time may any such vehicles be parked opposite each other on both sides of a street. Vehicles blocking the free flow of street traffic may be towed without prior notice and at owner's expense.

M. Routine parking of large vehicles, (over 10,000 pounds GVW) heavy-duty trucks, or trailers on home sites or streets is not allowed. Light duty two-axle motor vehicles such as non-commercial vans or pickup trucks may be permitted. Signage on vehicles may not create a commercial zone or billboard atmosphere within the Community. Certain commercial trucks, boats, off-road vehicles, campers, motor homes, step vans, or other large vehicles may possibly be parked within the RV storage facility for a fee when space is available and as approved by Management.

N. Vehicles may not be stored on any Resident lots. Vehicles not currently DMV registered and tagged, that are inoperable, or in a state of disrepair, may be temporarily kept on the lot for only 15 days or a maximum of 30 days if the vehicle is covered. Such vehicles kept in a Resident's enclosed garage are exempt from this rule. The Board of Directors may be petitioned to grant variances to extend the storage time limit.

O. In addition to immediate towing of vehicles, the Association hereby notes that the following action and possible fine(s) will be taken in response to violations of the Vehicle and Traffic rules unless other actions are noted above:

- 1) The Association will attempt to provide one courtesy warning notice (or citation) on vehicles in violation of any of the rules stated in Article 12.1.
- 2) Additionally, a warning letter will be sent to the Resident (homeowner and tenant) for a second violation of the rule as stated in Article 12.1.
- 3) A third violation will result in a HOA Board hearing and possible fines up to \$250.00. All further violations will be considered continuing violations and subject to additional fines per incident without further hearings being required. If a Resident (homeowner and tenant) fails to attend a hearing or reschedule a hearing date, a fine may be levied in absentia.

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- 4) All violations will be automatically subject to continuing fines, towing, or other available legal remedies.
- 5) Any vehicle may be towed without prior notice in an emergency, if it is deemed a safety hazard, or if found in violation of the fire lane laws.
- 6) Residents who feel a citation was issued in error should not ignore the citation but should immediately contact the On-site Office Manager in writing to avoid further actions.

12.2 PARKING

- A.** Management has the right and authority to regulate and administer all parking policies.
- B.** Per Title 25 (25 CCR Section 1106 (b) (3) and County fire regulations: All streets in our community have been designated as “fire lanes” and therefore must remain clear for emergency vehicle access at all times. There is no parking on any street at any time. The street right-of-way and Common Areas may not be used for parking except where designated. Vehicles illegally parked in fire lanes are subject to immediate towing without notice and at the vehicle owner’s expense in accordance with the California Vehicle Code.
- C.** Vehicles must be parked wholly within lot boundaries and may not extend onto streets or other Common Areas. Vehicles may not impede traffic or safety. Any vehicle that is deemed to be in violation of these regulations or parked in a manner that is considered a safety hazard or liability risk by the Association may be subject to immediate towing without prior notice and at owner’s expense.
- D.** Residents (homeowners and tenants) must park their vehicles on their own driveways or other architecturally approved portion of their property specifically designated for parking. Parking on lawns or in gardens is not permitted. Residents may not park on other Resident’s lots or on vacant lots without the Resident’s express permission.
- E.** Each Resident (homeowner/resident) is required to utilize their driveway and/or garage to its maximum capacity (as originally designed) for the parking of vehicles attributable to their Unit. Garages must be used for vehicle parking and shall not be converted for recreational activities, business, or storage if such usage prevents the parking of the number of vehicles in the garage for which it was originally designed.
- F.** All Residents (homeowners and tenants) are required to register all their vehicles with the on-site office. Registration information must include the vehicle make, model, color, license plate number and vehicle identification number and the number of designated and architecturally approved parking spaces on resident’s lot (including garage and driveway spaces).
- G.** Non-transferable, numbered identification stickers will be issued for each of the Residents’ registered vehicles. Stickers must be permanently attached and displayed either in the rear or front windshield. Any registered vehicles parking in the Common Area Parking spaces on a short-term basis must park so that the sticker is visible from the street.

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All Residents (homeowners and tenants) are required to notify the On-site Office of any changes in vehicle ownership and/or residency within thirty (30) days of the change and obtain a new identification sticker.

H. All Common area parking spaces are designated as Guest or Common Area Parking. These limited parking spaces are available on a non-exclusive, non-reserved, as-available basis. All guest vehicles may use a Common area parking space only on a short-term basis defined as a maximum of any twenty-four (24) hour period or in compliance with posted hours.

Residents (homeowners and tenants) may only use one Common Area parking space for a registered, stickered vehicle when all of the designated and approved parking spaces on their lot are occupied by parked vehicles. Common area parking by residents is allowed only on a short-term basis defined as a maximum of any twenty-four (24) hour period or in compliance with posted hours.

Vehicles not displaying a visible sticker, visible Resident's (homeowners and tenants) address and phone or temporary guest parking permit issued by the On-site Office will be considered illegally parked and may be towed without notice, at the owner's expense. No additional warnings or notices will be issued. Any abuse of Common Area parking rules may be cause for revocation of permission to use and allow a vehicle to be subject to immediate towing.

Temporary, short-term parking permits for guests will be issued by the On-site Office. All Residents (homeowners and tenants) must obtain parking permits for their guests or leave a visible note identifying the name, address and phone number of the Resident on the vehicle dashboard.

I. All Residents (homeowners and tenants) shall be responsible for any and all acts in violation of the Association's parking rules by their family members, guests, tenants (including tenant's guests, licensees and invitees), licensees, invitees, residents and occupants of their Unit. Ultimately, the Homeowner shall be liable for any damages, fines, and/or penalties arising out of any such violation(s).

J. The Clubhouse/Pool and Laundry parking spaces are restricted during certain posted hours for use of the respective facilities. Vehicles not properly identified and/or not using the facilities during the posted hours may be subject to towing without notice and at owner's expense. Additionally, employee vehicles may be parked in Common Area parking during their working hours.

K. Recreational vehicles may park within an architecturally approved and designated parking area on a lot for a maximum of 24 hours for the purpose of loading and unloading the RV.

L. Vehicles found to be parked or operated in violation of the Rules & Regulations or Governing Documents may be towed without notice at owner's expense; The Association is not liable for any damage caused to vehicles as result of towing or movement.

M. In addition to immediate towing of vehicles, the Association hereby notes that the following action and possible fine(s) will be taken in response to violations of the Parking rules unless other actions are noted above:

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- 1) The Association will attempt to provide a courtesy warning notice (or citation) on vehicles in violation of any of the rules stated in Article 12.2 prior to calling the owner to a hearing and assessing fines.
- 2) Additionally, a warning letter will be sent to the Resident (homeowner and tenant) for a second violation prior to calling the owner to a hearing and assessing fines.
- 3) A third violation will result in a HOA Board hearing and possible fines up to \$250.00. All further violations will be considered continuing violations and subject to additional fines per incident without further hearings being required. If a Resident (homeowner and tenant) fails to attend a hearing or reschedule a hearing date, a fine may be levied in absentia.
- 4) Any vehicle may be towed without prior notice as stated herein.
- 5) Any violation repeated more than once in any six-month period of time will be considered a “continuing violation” and subject to immediate hearing and enforcement without additional warning notices being sent.
- 6) All violations will be automatically subject to continuing fines, towing, or other legal remedies available.
- 7) Residents who feel a citation was issued in error should not ignore the citation but should immediately contact the On-site Office Manager in writing to avoid further actions.