

Amerige Heights

***AMERIGE HEIGHTS  
HOMEOWNERS  
ASSOCIATION***

***PARKING AND VEHICLE  
CONTROL REGULATIONS***

***Adopted by the Board of Directors October 22, 2018***



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## Amerige Heights

### AMERIGE HEIGHTS HOMEOWNERS ASSOCIATION PARKING AND VEHICLE CONTROL REGULATIONS

#### 1. VEHICULAR RESTRICTIONS

1.1. Authorized Vehicles. Authorized vehicles may be parked in any portion of the properties intended for parking of motorized vehicles. However, no owner may park any vehicle, including an authorized vehicle, in a manner that either restricts the passage of pedestrians or vehicles over driveways, streets, sidewalks or entrances or exits to the properties or extends beyond the limits of the space where the vehicle is parked. The following vehicles are “authorized vehicles”:

1.1.1. Standard passenger vehicles including automobiles;

1.1.2. Passenger vans designed to accommodate ten (10) or fewer people;

1.1.3. Motorcycles;

1.1.4. Pick-up trucks having a manufacturer’s rating or payload capacity of one (1) ton or less;

1.1.5. Authorized vehicles may be parked in any portion of the properties intended for parking of motorized vehicles; however, no owner may park a vehicle in a manner which the Master Association determines either restricts the passage of pedestrians or vehicles over driveways, streets or sidewalks in the properties or extends beyond the limits of the space where the vehicle is parked;

1.1.6. The Master Association has the power to identify additional vehicles as authorized Vehicles in the Rules and Regulations and to adapt this restriction to the types of vehicles.

1.2. Restricted Vehicles. Restricted vehicles may be parked wholly within an owner’s garage. Subject to obtaining the prior written approval of the Design Review Committee, restricted vehicles may also be parked in an owner’s sideyard, screened from view. Owners who intend to park restricted vehicles in their sideyards are required to install concrete pads designed to accommodate the weight of the restricted vehicle, also subject to prior written approval of the Design Review Committee. The following vehicles are “restricted vehicles”:

1.2.1. Recreational vehicles;

1.2.2. Motor homes;

1.2.3. Travel trailers;

1.2.4. Camper vans;

1.2.5. Boats;

1.2.6. Restricted vehicles may be parked wholly within an owner's garage or on a sideyard, screened from view in a manner approved by the Design Review Committee. Owners who park restricted vehicles on a sideyard shall also be required to install a concrete pad created for the purpose of accommodating the weight of the restricted vehicle.

1.3. Prohibited Vehicles. Prohibited vehicles can not be parked, stored or kept on any street (public or private) in the properties except (a) for brief periods of time, not in excess of fifteen (15) minutes for loading, unloading, making deliveries or emergency repairs, six (6) hours for moving, and (b) in an owner's garage with the door closed, unless otherwise violating the CC&R's. If a vehicle qualifies as both an authorized vehicle and a prohibited vehicle, then the vehicle is presumed to be a prohibited vehicle, unless the vehicle is expressly classified as an authorized vehicle in writing by the Board. The following vehicles are "prohibited vehicles":

1.3.1. Commercial type vehicles (e.g., stakebed trucks, tank trucks, dump trucks, step vans, concrete trucks and limousines);

1.3.2. Buses or vans designated to accommodate more than ten (10) people;

1.3.3. Vehicles having more than two (2) axles ;

1.3.4. Trailers;

1.3.5. Inoperable vehicles or parts of vehicles;

1.3.6. Aircraft

1.3.7. Any vehicle or vehicular equipment deemed a nuisance by the Board;

1.3.8. Any other vehicle not classified and an authorized vehicle or restricted vehicle;

1.3.9. If a vehicle qualifies as both an authorized vehicle and a prohibited vehicle, then the vehicle is presumed to be a prohibited vehicle, unless the vehicle is expressly classified as an authorized vehicle in writing by the Board.

## 2. GENERAL PARKING RULES

Amerige Heights contains a combination of public and private streets. Subject to the restriction of prohibited vehicles, all vehicles owned or operated by or under the control of an owner or a resident of an owner's lot and kept in the properties must be parked in the assigned garage of that owner to the extent of the space available. Each owner shall maintain his or her garage so that it can accommodate at least the number of authorized vehicles for which it was originally constructed on the properties. No vehicle repair or restoration is allowed in the properties, except in an enclosed garage with the garage door closed, provided

such activity is not undertaken as a business, and provided that such activity may be prohibited entirely by the Board if the Board determines that it constitutes a nuisance.

2.1. No Parking Areas. Parking is not permitted in the following locations at any time:

- 2.1.1. Posted no parking areas;
- 2.1.2. Fire lanes (this includes marked red curbs, near fire hydrants and alleyways);
- 2.1.3. On grass, curbs, sidewalks or other unauthorized locations on the common areas;
- 2.1.4. Any additional location where Fullerton Ordinance and California Vehicle Code prohibit parking;
- 2.1.5. In a manner that blocks passage of other vehicles either on a community street or driveway. In addition, no vehicle shall be left parked and unattended in such a manner as to prevent the ingress and/or egress of emergency vehicles (e.g., fire, EMS) or service vehicles (e.g., refuse trucks).

2.2. Street Parking. The following vehicles may not park on streets in the properties:

- 2.2.1. Restricted vehicles;
- 2.2.2. Prohibited vehicles;
- 2.2.3. Unregistered vehicles or vehicles with expired registration;
- 2.2.4. Permitted vehicles, as specified in Section 1.1 of this document, parked in excess of 72 hours;
- 2.2.5. Any vehicle on City public streets between the hours of 2 a.m. to 5 a.m. is prohibited by City law unless posted to allow parking by the City of Fullerton. To find out which streets are public streets, please contact the City of Fullerton.
- 2.2.6. Any vehicle without a valid permit displayed on a portion of Nicolas Way, Ward Street and McGarvey Street as posted on the signs, between 9 a.m. to 3 p.m. on school days. Refer to Section 2.3 for further information about this permit program and parking restriction;
- 2.2.7. Any vehicle undergoing vehicle maintenance or car care on a street;
- 2.2.8. Prohibited vehicles may be parked for brief periods for loading, unloading, making deliveries or emergency repairs.

2.3. Permit Program and Parking Restriction – Nicolas Way, Ward Street and McGarvey Street. A permit program and a parking restriction apply to a portion of the following private streets: Nicolas Way, Ward Street and McGarvey Street. Signs are posted to indicate the location of the parking restriction. Refer to “Addendum A” for a map displaying the location of the restricted streets. A patrol service will cite and tow vehicles in violation of this restriction. Homeowners on the affected streets are eligible

for a parking permit that exempts them from this parking restriction. The permit program and parking restriction contain the following rules:

- 2.3.1. There is no parking from 9 a.m. to 3 p.m. on a portion of Nicolas Way, Ward Street and McGarvey Street without a parking permit;
  - 2.3.2. This restriction only applies on school days;
  - 2.3.3. Owners on affected streets can request a maximum of two (2) parking permits by contacting Amerige Heights Homeowners Association, c/o Action Property Management, 2603 Main Street, Suite 500, Irvine, CA 92614, (800) 400-2284. Vehicles with valid parking permits, that are properly displayed, will not be cited or towed. The parking permit hang tag shall be placed on the windshield mirror with the decal number facing out;
  - 2.3.4. To request a parking permit, owners must fill out an Application for Resident Vehicle Tag and return it to Amerige Heights Homeowners Association, c/o Action Property Management, 2603 Main Street, Suite 500, Irvine, CA 92614. This form can be requested by contacting Action Property Management or printing it from the Association website at [www.amerigeheights.org](http://www.amerigeheights.org). A copy is attached for your convenience;
  - 2.3.5. Although parking permits are issued, this does not constitute the right to park vehicles for long periods of time. All residents are still required to utilize their garage for parking their vehicles as required by the CC&R's. At no time should any residence have more than two (2) valid permits available for use;
  - 2.3.6. Decal numbers will be tracked with each home. Parking permits that are reported lost will be voided before a new permit is issued. The parking permit replacement fee is \$25.00. If a voided permit is found and used, the vehicle will be towed. Please forward the voided permit to Action Property Management;
  - 2.3.7. Prohibited vehicles such as trailers, motor homes, boats, camper vans, recreational vehicles and commercial vehicles shall not be parked on these streets even with a parking permit. All other rules stated in the Association's CC&R's and the Parking and Vehicle Control Regulations still apply;
  - 2.3.8. With the sale of your home, you are required to provide new owners with your valid parking permits.
- 2.4. **Permit Program and Parking Restriction – Shapiro Street, Simon Street, Stein-Strauss Street, Evans Street and Root Street.** *A permit program and a guest parking restriction program have been created to a portion of the following private streets: Shapiro Street, Simon Street, Stein-Strauss Street, Evans Street and Root Street. Signs are being posted to indicate the location of the parking restriction; however, please refer to “Addendum B” for a map displaying the location of the restricted streets. A patrol service will begin to cite and tow vehicles in violation of these restriction, upon adoption of the new rules. Homeowners on the affected streets are eligible for a parking permit that exempts them from this parking restriction. The permit program and parking restriction contain the following rules:*

- 2.4.1. *All vehicles parking on these streets between 12:00 a.m. and 6:00 a.m. must be permitted or safe-listed by the patrol company. The parking requirement for overnight parking applies to all vehicles, including vehicles belonging to homeowners, residents, tenants, and guests. Resident vehicles parked in a garage or driveway do not need to be permitted.*
- 2.4.2. *Homeowners are responsible to apply/permit their vehicles. Residents wanting to change a permitted vehicle to another vehicle must reapply for a permit. Five (5) permitted vehicles will be issued per household. Additional permits are subject to Board approval.*
- 2.4.3. *To qualify for a parking permit, the Owner's assessment account must be current, and the Owner may not have any unresolved non-compliance matters at the time the application is being processed or at the time the application is approved.*
- 2.4.4. *Application Process: The Owner must submit a complete application to Patrol One (incomplete applications will be destroyed after 6 months of submission). The failure to completely fill out the form with the required information will result in delays or denial of the application. A copy of the current vehicle registration (showing your name) is required. If the vehicle is new, submit a copy of the sales contract or temporary registration. Approved permitted vehicles without license plates will be issued a temporary variance (max of 3 months) until they obtain plates. Residents must contact Patrol One immediately when they receive their plates to get their plates permitted. Documentation that shows your name and an Amerige Heights address must be included and should include one of the following: (a) utility bill (cell phones are not accepted); (b) California driver's license; or (c) lease agreement. If you have a company vehicle, you must provide both of the following: (a) letter on company letterhead showing your name and authority to have custody and control of the vehicle and (b) current registration.*
- 2.4.5. *No decal will need to be placed on the authorized resident vehicle. Authorized license plate numbers will act as the permit allowing the vehicle to be parked overnight in common area streets.*
- 2.4.6. *After all documentation has been submitted and approved, the patrol company will send confirmation to the Owner/resident.*
- 2.4.7. *Safe-list Process (Guest Parking Program): Guest vehicles parked in common area parking between the hours of 12:00 a.m. and 6:00 a.m. need to be safe-listed by the resident to avoid being cited and/or towed. The resident is responsible to contact Patrol One to safe-list their guest vehicles. Guest vehicles parked in a garage or driveway do not need to be safe-listed. If a resident has a guest visiting overnight, the resident must arrange for a Guest Pass if the Visitor vehicle is being parked on the street between 12:00 a.m. and 6:00 a.m. by contacting Patrol One at (714) 541-0999 or via online at [www.patrol-one.com](http://www.patrol-one.com). Each address is allowed a maximum of 45 overnights for guest*

*vehicles in a 90-day rolling time period. This can be 45 nights for the same vehicle or a total of 45 nights for different vehicles.*

- 2.4.8. Any resident with a special situation requiring an additional permitted vehicle or additional safe-listing periods, must submit a written request to the Management Company, for approval by the Board of Directors.*
- 2.4.9. A parking permit privilege may be revoked or suspended, following Notice and Hearing, in the event of a violation of the Association's governing documents, including without limitation nonpayment of assessments. In the event a permit is removed, the Owner will need to apply for a new parking permit.*
- 2.4.10. Parking is only allowed in designated parking spaces. Vehicles must be parked within the boundaries of parking spaces. All other areas including alleys, motor courts or "No Parking Zones" are subject to immediate tow.*
- 2.4.11. Extending past a parking space, and or extending into someone's driveway or sidewalk is prohibited and subjects the vehicle to immediate tow.*
- 2.4.12. Parking spaces are not intended for long term parking. Vehicles which have not moved in 72 hours, including permitted vehicles, are subject to tow, unless longer term parking has been previously approved by the Board of Directors.*
- 2.4.13. Each Owner shall be responsible for ensuring that their family members and tenants comply with the restrictions and requirements set forth in Association's Declarations and Rules and Regulations.*
- 2.4.14. The Association has hired a patrol service to patrol the community for violations of these parking rules. Vehicles parked in common area street parking in violation of these rules will be subject to the following enforcement: (a) First Violation: Warning Citation; (b) Second Violation: Final Warning Citation; (c) Third Violation and all subsequent violations: The violating vehicle will be towed.*
- 2.4.15. The following violations will result in immediate towing of the vehicle without warning: (a) Vehicles parked in a marked fire lane, alleyway, Motor court, or in any manner that obstructs free traffic flow; (b) Posted "no parking" areas; (c) Fire lanes (this includes marked red curbs and all alleyways); (d) On grass, curbs, sidewalks or other unauthorized locations on the common areas; (e) In a manner that blocks passage of other vehicles either on a community street or driveway. In addition, no vehicle shall be left parked unattended in such a manner to prevent the ingress and/or egress of emergency vehicles (e.g. fire, EMS) or services vehicles (e.g., refuse trucks); (f) Parking within fifteen (15) feet of a fire hydrant; (g) Parking in a manner that interferes with any entrance or exit to the Neighborhood, or in any manner that interferes with any resident's ability to access their property; (h) Vehicles violating any parking permit rule or regulation.*



## 2.5. Establishment of Rules and Regulations.

- 2.5.1. The Board may establish additional regulations regarding any parking areas not assigned to individual lots, including designating “parking,” “guest parking,” and “no parking “ areas; however, in view of the fact that one of the key design concepts of the properties under the Amerige Heights Specific Plan is to have ample on-street parking, the Board shall not establish regulations that reduce on-street parking unless such reduction is approved by the City in writing and there are legitimate health and safety reasons for doing so;
- 2.5.2. The Board may take all actions necessary to enforce all parking and vehicle use regulations for the properties including removing violating vehicles from the properties pursuant to California Vehicle Code Section 22658.2 or other applicable law;
- 2.5.3. If the Board fails to enforce any of the parking or vehicle use regulations, the City may enforce such regulations if properly posted pursuant to California Vehicle Code Section 22658.2;
- 2.5.4. Owners who rent their units are required to give a copy of the Parking and Vehicle Control Regulations to their tenants.

## 3. TRAFFIC COMMUNITY DRIVING REGULATIONS

### 3.1. General Rules. The general rules below apply to the entire Amerige Heights Community:

- 3.1.1. The speed limit, as established by City regulation, is 25 miles per hour or slower when necessary;
- 3.1.2. Motorcycles may be used for entering and leaving the community only. Motorcycles cannot be used for repeated riding throughout the community;
- 3.1.3. Operation of scooters must be in compliance with City of Fullerton traffic laws.

### 3.2. Traffic Circles. The following rules apply to traffic circles:

- 3.2.1. Slow down as you approach;
- 3.2.2. Look to your left and check to your right for cars traveling in the wrong direction;
- 3.2.3. Yield to traffic in the circle;
- 3.2.4. When it’s clear, turn RIGHT into the circle and drive counter-clockwise until you get to the street you want to turn onto;
- 3.2.5. Once in the circle you have the right-of-way. Do not stop except to avoid a collision;
- 3.2.6. When you arrive to the street you wish to exit, turn to your right. Watch for and yield to pedestrians waiting to cross, or crossing the exit leg.

#### 4. ENFORCEMENT OF PARKING RULES AND VEHICULAR RULES

The Board may take all actions necessary to enforce these Parking and Vehicular Rules including, without limitation, removing violating vehicles from the properties pursuant to California Vehicle Code Section 22658.2 or other applicable law. Owners are required to provide tenants with a copy of these rules and are held responsible for the violations of their tenants.

##### 4.1. Conditions for Immediate Vehicle Towing Without Prior Notice:

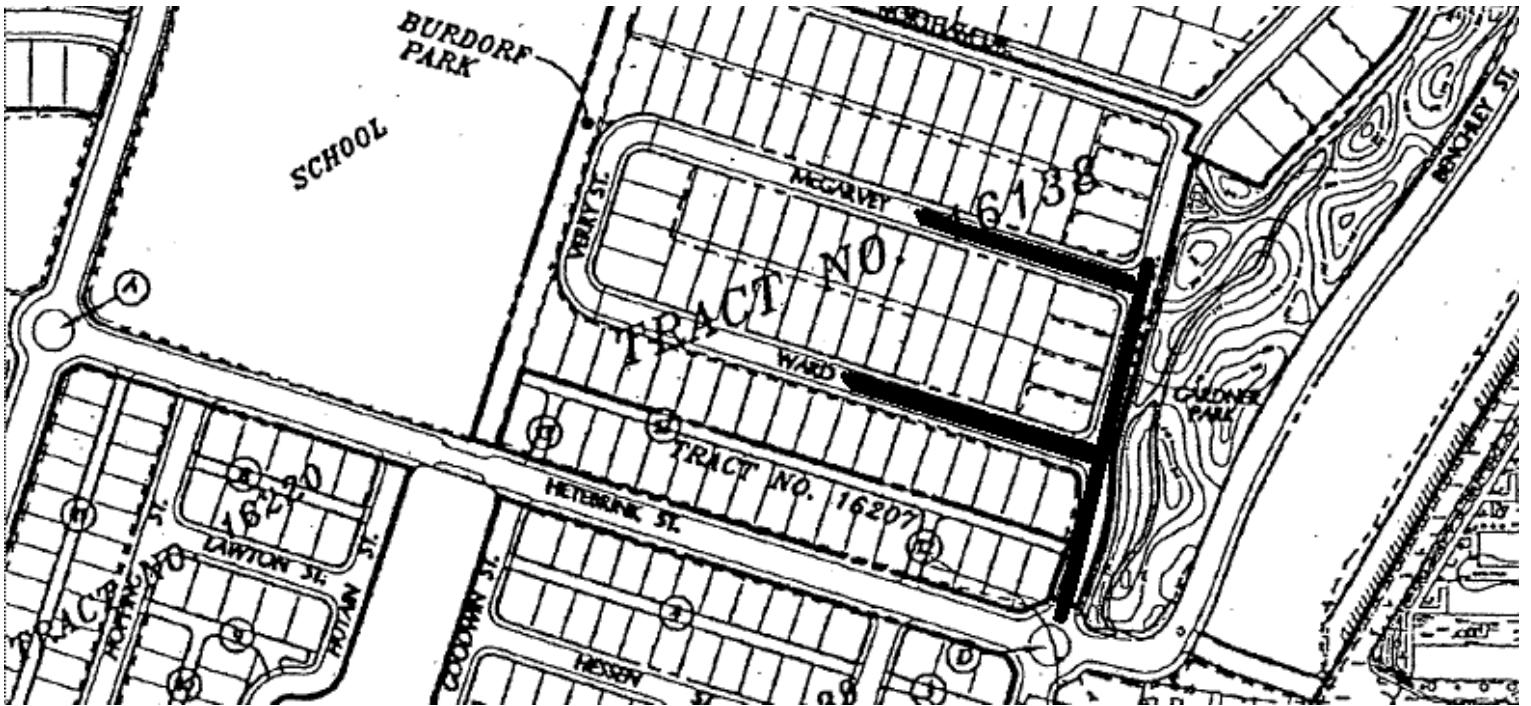
- 4.1.1. Vehicles parked or unattended in a marked fire lane;
- 4.1.2. Vehicles parked or unattended within fifteen feet (15') of a fire hydrant;
- 4.1.3. Vehicles parked in a parking space designated for the handicapped without proper authority (*i.e.*, without a handicap placard);
- 4.1.4. Vehicles parked on any of the alleyways;
- 4.1.5. Vehicles parked on any portion of a street or sidewalk that block access to another driveway, garage, entrance or exit to the properties;
- 4.1.6. Parked on any unpaved part of the common areas, or on any paved part of the common areas not intended for use as a parking space;
- 4.1.7. Parked on any portion of a street or sidewalk that blocks access to another driveway or garage.

##### 4.2. Enforcement.

- 4.2.1. If a vehicle is in violation of Section 2.1 of these rules, the vehicle can be towed without any notice or warning. Residents may notify the Management Company for vehicles in violation of Section 2.1.
- 4.2.2. If a vehicle is in violation of Section 2.2 of these rules, the vehicle can be issued a citation. Vehicles in violation of Section 2.2.5 will be cited and fined by the City of Fullerton. For vehicles in violation of Section 2.2, with the exception of Section 2.2.5, a written warning will be provided before the vehicle is towed.
- 4.2.3. The cost of all enforcement actions against a vehicle owner, resident or guest of a resident may include but are not limited to: towing fees and charges, all of the Association's legal fees, administrative fees, collection fees and any other related costs.

## ADDENDUM "A"

### Parking Restrictions on Nicholas Way, Ward Street and McGarvey Street

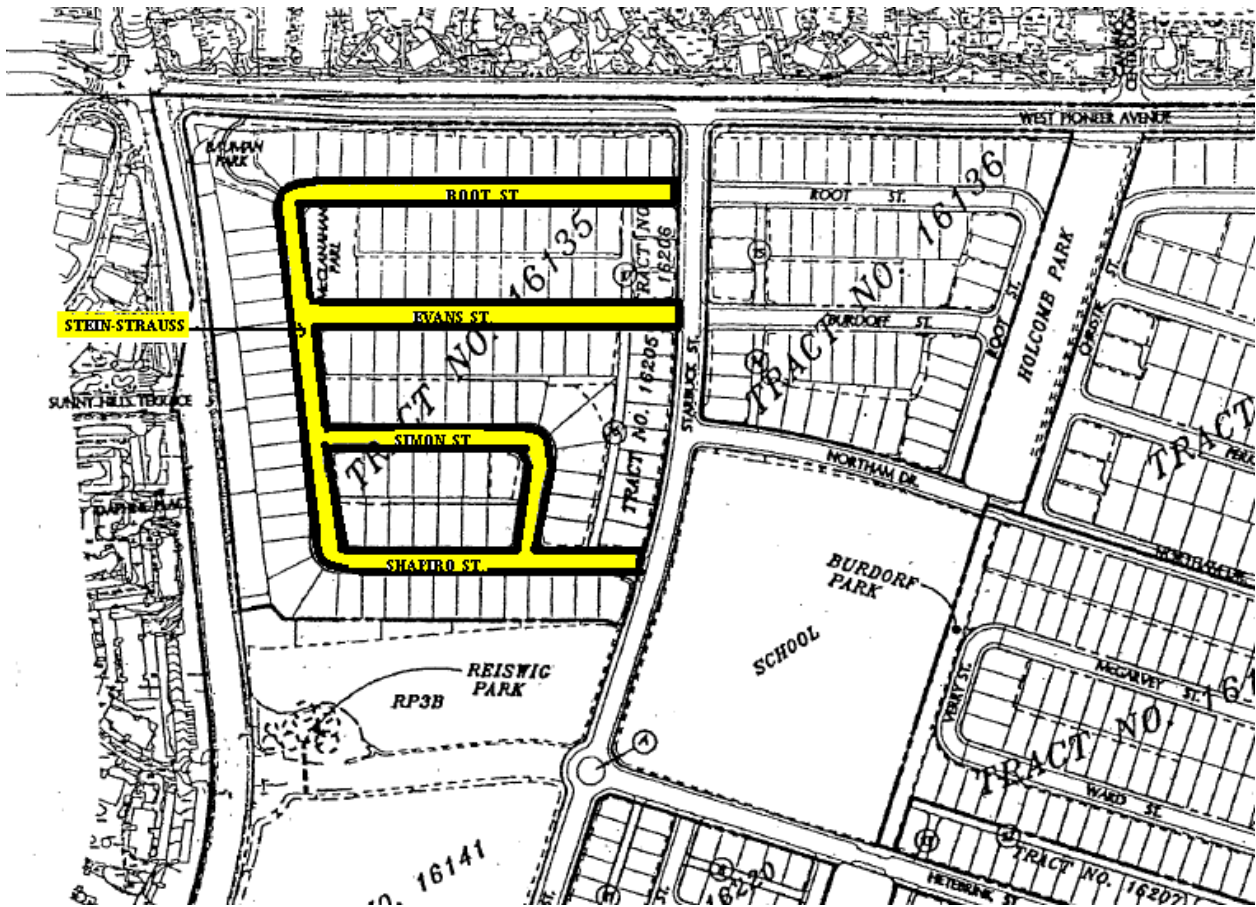


The bold lines denote where the parking restriction will be in affect. The streets affected are the following:

- Nicholas Way (from Hetebrink to McGarvey)
- Ward Street (from Nicholas Way to 2048 Ward Street)
- McGarvey Street (from Nicholas Way to 2046 McGarvey Street)

ADDENDUM "B"

Parking Restrictions on Shapiro Street, Simon Street, Stein-Strauss Street, Evans Street and Root Street



The highlighted areas show where the parking restrictions will be in effect.