

## TOWING POLICY

**TASK:** Define a towing policy for the Board of Directors and Management for the enforcement of the Rules and Regulations and in Contingency “timely” Situations.

**DISCUSSION:** From time to time the Board of Directors through the Covenants Committee and Management uses towing or the consequence of towing to enforce Rules and Regulations G(1)(2) and I (paragraph 3) and Queen’s Landing By Law 5.8(a)(4). Authority for this enforcement is provided in Article 9.1(e), Abating and Enjoining Violations, of the By Laws.

Towing enforcement is normally ordered for vehicles which; do not display current tags, are derelict vehicles, unauthorized vehicles, or vehicles that are obstructing or blocking other residents and/or emergency vehicles. Recently QL was faced with a Contingency Situation that required a “timely” response to remove a vehicle that was deliberately used to block and obstruct the use of a Common Element by another resident.

The Queen Anne’s Sheriff Department will give citations for illegally parked vehicles on Queen’s Landing property but will not direct that a car be towed. The Department states that the governing body, the Board, must give the order to tow a vehicle. John Oliveri has countered that under certain circumstances the Sheriff’s Department does have the authority to direct that a vehicle be towed but in Contingency Situations where time is of the essence, this type of discussion becomes mute.

The last towing category is illegally parked vehicles. An illegally parked vehicle refers to any vehicle which is parked in a no parking area marked with a “No Parking” sign, vehicles blocking emergency egress and ingress, and any vehicle parked on grassy Common Elements.

### **POLICY:**

Removing illegally parked vehicles:

- Notice and warning is placed on vehicle stating the violation
- Notice and warning states that the vehicle will be towed at owner’s expense in 24 hours
- Corrective letter is sent to owner stating the violation (if a resident of Queen’s Landing)
- Management orders towing through the use of an approved towing company

Routine removal of vehicles:

- Notice is placed on vehicle
- 2nd notice is placed on vehicle
- Final notice and warning that the vehicle will be towed at owner’s expense is given
- Management orders towing through the use of an approved towing company

Contingency removal of vehicles:

- Contingency removal should only be considered if past performance or behavior of an individual dictates that such action is warranted.

- Corroboration must exist either in the form of pictures, demonstrated history, police reports, witnesses, or a combination there of.
- Vehicle obstructs parking spaces or restricts egress of parked vehicles AND the owner/driver cannot be located or will not cooperate in moving the vehicle. Requires police involvement before towing.
- Towing may be ordered by Management or a member of the Board

#### PROCEDURES FOR CONTINGENT/TIMELY VEHICLE TOWING

These procedures apply to resident requests to remove a vehicle that was deliberately used to block and/or obstruct the use of a parking space or other Common Element where “timeliness” is of the essence. If the situation conforms to the Queen’s Landing Towing Policy, follow the sequenced steps below:

- Ensure all requirements for contingency removal have been met. If in doubt, call the Covenants Chairperson, Board President, or Management.
- Make note of names, addresses, and circumstances of the situation.
- Call the Towing Company whose name, address and phone number are on file in the QL Office and request immediate towing on behalf of Queen’s Landing.
- Stay on location and coordinate with local authorities, if applicable, and witness the towing.
- Notify the Covenants Chairperson and President as soon as possible.

The above proposals were brought before the Board and were approved at the March 20, 2006 Board Meeting. These proposals are consistent with the current Queens Landing Rules and Regulations.