

Most Common Parking Issues

Some of the most common parking issues in our community consist of:

- A vehicle parked over 72 hours on a public roadway
- Parking of oversized vehicles (for example: recreational vehicles)
- Vehicles parked overnight with individuals inhabiting

The following municipal codes correspond with the above violations:

- **LNMC 7-4-603 (b)** - A vehicle is prohibited from parking or stopping longer than 72 consecutive hours upon any highway or street. (Moved is defined as as moving a minimum of 100 ft. or 1/10th of a mile).
- **LNMC 7-4-606 (b)** - A vehicle is prohibited from parking or left standing upon any public street or highway in a residence district in the city any commercial vehicle, bus, motor truck, semi-trailer, or tractor trailer in excess of 80 inches (in width) or in excess of 25 feet (in length); or any item of farm machinery or special purpose machine. A residential district is defined as a specific portion of a highway and property (not in a business district) in which one side of the highway measures a length of at least a quarter of a mile and has 13 or more (if homes are located on one side of the street) or 16 (if homes are located on both sides of the street) houses/dwellings.
- **LNMC 7-4-606 (c)** - No person shall park or leave standing upon any public street or highway in the city any commercial vehicle, bus, motor truck, semi-trailer, or tractor trailer in excess of 80 inches (in width) or in excess of 25 feet (in length) between the hours of 2:00am and 6:00am.

Ways you can assist with addressing parking concerns ...

- Don't handle the issue yourself. Sometimes addressing an individual directly (in this case the vehicle owner) can escalate a situation.
- Communicate your concerns or report repeated violations/issues by utilizing our Request for Service system on the city website: www.cityoflagunaniguel.org/etrakit

Enforcement of Towing and Parking Laws on Private Property

The City of Laguna Niguel is made up of approximately 35 miles of arterial roadways and 105 miles of residential streets.

Laguna Niguel Police Services provides law enforcement on our streets and roads to maintain a safe and healthy environment in which to live. These services (administered by the Orange County Sheriff's Department) extend to commercial and private associations throughout our city.

The information contained in this brochure are guidelines regarding parking and towing laws on private property which may provide assistance when questions arise.

If you have more specific questions, feel free to contact us directly or through our city-wide automated resource site:

www.cityoflagunaniguel.org/etrakit

**Contact Us
For More
Information**

City of Laguna Niguel
Police Services
30111 Crown Valley Parkway
Laguna Niguel, CA 92677
949-362-4300

**City of
Laguna Niguel
Police Services**



Enforcement of Towing and Parking Laws

- ▶ Who may authorize a tow?
- ▶ What is a private party impound?
- ▶ As a private party owner, what are the lawful steps to take to have a vehicle towed?
- ▶ Long standing or abandoned vehicles... What's the law?

This brochure is designed to answer these questions and more.

Provided is information related to towing of cars and for private property owners regarding enforcement of certain parking and towing laws on private property.

This brochure also helps to assist in answering some of the most common questions regarding parking laws on private property as well as public roadways.



When May a Tow be Authorized ?

Either the president of a homeowner association (HOA) or his/her designee or agent may authorize a vehicle to be towed off private property or a commercial lot. A security company may be considered as an agent or representative of the association.

Only in the case of a fire lane, accessible space (handicap), or entrance/exit blocking violation may a tow truck company act without an HOA representative present. In all other instances, the HOA president, HOA designee, or agent must be present and must sign an authorization.

A "wet signature" (signature of a person at the scene, not a stamp or copy) should be requested. A photograph must be taken by the tow truck company of a vehicle blocking violation. The photograph must be available for presentation when requested.

HOA's and private property management companies specifying a minimum time limit and policy for illegally parked vehicles assist in clearly identifying policy and the proper steps to follow. Notification of the registered owner is also a must if a vehicle is towed. Residents should park their cars in garages whenever possible and adhere to the original intent of the community parking requirements. Police may also 'abate' or tow a long-standing abandoned vehicle when asked.

Do not request a tow without following the above guidelines.
Please note: California Vehicle Code 12110 (a) clearly prohibits "kickbacks", or commissions for arranging or requesting the services of a tow truck involving parking violations. The City utilizes several tow companies.

Most Commonly Asked Questions



Has your vehicle been towed?

If you suspect that your vehicle has been towed from private property (or even a commercial area), you may contact the City non-emergency dispatch number at 949-770-6011. Be prepared to provide your license plate or vehicle identification number and the date, time, and location that your vehicle was towed from. The tow company that was used to remove your vehicle will be identified as well as the company's address (if available) and a telephone number. If the vehicle was towed by law enforcement, they will inform you of the reason for the tow.

In order for your vehicle to be released, you must present a current, valid driver's license and current registration. If you do not possess a current valid driver's license, you must bring someone who does. You must be the registered owner or have authorization from the registered owner to have the vehicle released to you.

How much are tow fees?

A tow company may charge no more than the amount specified under contract with the local law enforcement agency. If the vehicle owner arrives at the scene prior to the vehicle leaving the property, no more than half the towing fees may be charged as a 'drop fee'.

Where may a vehicle be towed to?

A vehicle may only be towed to a secure facility. A secure facility consists of a gated and locked lot otherwise known as a 'tow yard'. A vehicle may not be towed to a temporary location (whether a retail lot or residential street) around the corner for storage until it is convenient for the tow driver to return to the 'tow yard'.

Are there City fees?

City administrative costs may be incurred for a vehicle towed as a result of a private party tow.

What is a Lien fee?

Certain policies are in effect for tow companies to protect themselves. It is a fairly common procedure that a 'Lien' be placed on a vehicle that has been towed. There is an administration fee that is charged for the preparation of the lien paperwork. 50% of the administration fee may go to the registered owner during this process, but no additional fee may be added to the lien process if the vehicle is redeemed within 72 hours. Most other traffic issues or ongoing problems should be brought to the attention of the property owner or the homeowners association.

Can Police respond to private property?

Police have the authority to enforce misdemeanors or felonies on private property. However parking and towing violations are infractions and in certain cases are the responsibility of property owners.

Police should be called and will respond to a serious collision involving injury or death, driving under the influence, driving on a suspended license or, a vehicle is blocking police, fire, or ambulance response to an emergency.

How is private property defined?

For the purposes of this brochure, private property is a condominium complex or common interest development that is distinct from that of a parking lot for retail business. A private property (as well as a commercial) owner has the lawful means to tow a vehicle on their property that is in violation of a law after following proper procedures.

What are posted sign requirements?

Signs must measure 17" by 22" or larger with lettering no smaller than one inch in height at each entrance to the complex/property, should state that "Unauthorized parking will be removed at owner's expense per CVC 22658.2", and "For further information contact the Orange County Sheriff's Department at (949) 770-6011.

Who is liable?

The owner of the vehicle may be reimbursed for damages or fees resulting from any intentional or negligent act of any person causing the removal of vehicle. If damage is incurred after the vehicle has left the property or at the tow yard, it is the responsibility of the tow company. The association or person requesting the removal of the vehicle may be liable for twice the towing charges if provisions of the Vehicle Code were not adhered to properly. In some cases, the tow company may be liable for up to four times the amount of the tow if the owner of the vehicle was improperly charged or certain provisions of the Vehicle Code were not adhered to.

