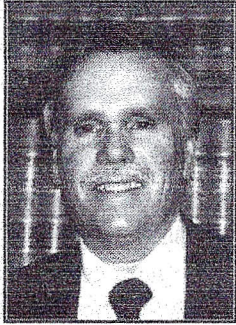


"ASK BRUCE"

STREET PARKING REGULATIONS AND TOWING: WHEN ARE THEY PERMISSIBLE?



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I am frequently asked questions pertaining to street parking regulations and the ability of a park owner to tow vehicles which are parked in violation of such regulations. We begin with the rule itself.

Many parks regulate street parking, or ban it all together. Access to streets in mobilehome parks should be a priority, and GSMOL does not oppose all park rules or regulations which prohibit or restrict street parking. Access must exist for police, fire or other emergency vehicles. These regulations are vital to protect the health and safety of residents, and also enhance the aesthetics of the park by eliminating excessive amounts of vehicles from the streets. Since many parks have streets which are not wide enough to accommodate other vehicles if street parking were to be allowed, these rules are "reasonable" and thus enforceable. But they must also be enforced "reasonably".

GSMOL is always concerned about the overly aggressive manner used by some parks to enforce "no parking" regulations. Where tow trucks cruise

through parks and sit with engines running, waiting for any vehicle to be left alone for even five minutes so that they can pounce and tow the car, this is not reasonable. Any resident should be allowed a brief period to load or unload in front of their home. Many are elderly or handicapped and require this sort of accommodation. Even where a vehicle is left unattended for a time, a one-time warning notice is appropriate before a resident is forced to pay a \$200.00 towing bill. Civil Code 798.28.5 requires "warning" notices before a park owner can remove vehicles from residents' designated parking spaces. In order to allow street towing, Vehicle Code section 22658 requires that signs be posted at each entrance to the park, and that notices be given by the tow driver before vehicles can be towed. Random towing without adequate notice is illegal.

An associated problem is the lack of adequate parking in many parks, where visitors and even residents have to either park outside the front gate, or on the street. A park owner should not be allowed to intentionally create a parking shortage, and then harass tenants with predatory towing practices. For example, some parks have been known to reduce the number of parking spaces in order to create additional mobilehome spaces. Where former "adult" parks have become family parks, there is a higher density of residents, and thus more vehicles. If a park has not made adequate provision for resident parking, or has no guest parking, it is difficult to tell residents that there is absolutely no street park-

ing. In such cases, there might be no other alternative if vehicles are to be parked in a secure area. Thus, to summarize:

1. A park owner should create an adequate number of parking spaces for visitors and guests.
2. Street parking should never be allowed unless it is a necessity due to a lack of adequate parking.
3. "No parking" rules should be reasonably enforced. Towing should never occur when vehicles are temporarily loading or unloading, and warnings should be issued before actual towing occurs whenever possible.

WHEN CAN A PARK OWNER REQUIRE THAT A HOME BE PAINTED?

A frequently asked question at meetings which I attend centers upon the ability of a park owner to require the exterior painting of homes in certain designated colors. Homeowners want to know if it is "legal" for the park to require this during the tenancy. GSMOL supports reasonable regulation of exterior paint colors, and encourages rules and regulations which require that homesites be attractively maintained. But there are limits to the park owner's ability to require this kind of expensive repairs or maintenance.

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