

# IRVINE POLICE DEPARTMENT

IRVINE POLICE DEPARTMENT • 1 CIVIC CENTER PLAZA  
P.O. BOX 19575, IRVINE, CALIFORNIA 92623-9575 • 949-724-7000

Website: irvinepd.org • Email: ps@cityofirvine.org



MIKE HAMEL  
CHIEF OF POLICE

## INFORMATIONAL BULLETIN

### PRIVATE PROPERTY VEHICLE STORAGE / ENFORCEMENT 21107.7 CVC 22658(a) CVC

**PURPOSE:** California law gives the owners of private property the right of restricting public parking and the local police authority to store vehicles and enforce the provisions of the *California Vehicle Code* if proper signs are posted. In order to have uniformity throughout the City of Irvine, and to encourage voluntary compliance, the following guidelines are set forth.

#### **PROPERTY OWNER'S RESPONSIBILITIES:**

##### **I. 21107.7 CVC**

A. Any city may, by ordinance or resolution, find and declare that there are privately owned and maintained roads within the city that by reason of their proximity to or connection with highways, the interests of any residents residing along such road and the motoring public will be served by application of provisions of the *California Vehicle Code* to such roads.

B. Pursuant to Section 21107.7 CVC, the below procedure must be followed:

1. A petition, signed by a majority of the owners of any such privately owned and maintained road **or** by at least a majority of the board of directors of a common interest development must be filed with the City Clerk.

You should include with your board petition either a legal description of those streets addressed in your request or a description of those streets which defines their boundaries. *Please refer to the attached instructions for petition.*

In addition to the above, the board of directors of a common interest development must provide the City of Irvine – City Clerk's Office with completed address labels for all property owners affected by this request.

2. A public hearing will be scheduled before the City Council. Following the hearing, the Council may adopt a resolution designating that the provisions of the *California Vehicle Code* shall be applied to the private streets in question.

A notice of public hearing will be published 10 days prior to the public hearing.

II. Public Safety and Traffic Engineering/Circulation Guidelines for California Vehicle Code (CVC) Enforcement in Private Residential Communities:

[Note: HOA refers to either the Homeowners Association, related Property Management Company, or their representative serving as applicant]

Prior to submitting a petition for CVC enforcement, the HOA must meet with Public Safety – Operations bureau staff to address the below listed issues.

For consideration of CVC enforcement, one of more of three different types of enforcement issues should be identified by the HOA: 1) traffic control signs, 2) speeding, and 3) parking. For each of these issued, the HOA shall employ the services of a traffic engineering consultant for the preparation of a report, which should address the following:

- A. *Traffic Control Signs*. Document the appropriateness (i.e., location and justification) of existing STOP or YIELD signs, and the need for additional STOP or YIELD signs, based on:
  1. Primary vehicular flow patterns within the complex;
  2. Primary pedestrian flow across the drive aisles (e.g., to and from clubhouse, pools, tennis courts, etc.);
  3. Sight distance at key conflict areas; and
  4. Conformance with all applicable sections of the *Caltrans Traffic Manual* and/or the *Manual on Uniform Traffic Control Devices (MUTCD)*.
- B. *Speeding*. Identify the locations within the subject community where speeding is perceived to be problematic. A map of the private community should be provided, with locations of all speed control devices (e.g., speed bumps, signs, etc.). It is important to note that the *California Vehicle Code* sets forth specific guidelines for determining enforceable speeds on streets. Thus, the HOA shall identify and summarize the process for determining *prima facie* and/or posted speeds within the subject area.
- C. *Parking*. Provide a comparison between parking supply and demand, including:
  1. Number of parking spaces provided versus the number required, if applicable, with supporting maps from entitlement process;
  2. Survey data documenting peak parking demand; and
  3. A map of the area showing where parking overflow becomes an issue, either within the private community, or on City streets.

Once completed, the report shall be presented to the City of Irvine Traffic Engineering section for review. Upon receipt of the report, Traffic Engineering staff shall review and

make recommendations that will be included along with the petition that is filed by the HOA and the City Clerk.

Upon enactment of the ordinance or resolution, the provisions of this code shall apply to the privately owned and maintained road if appropriate signs are erected at the entrance to the road of the size, shape, and color as to be readily legible during daylight hours from a distance of 100 feet, to the effect that the road is subject to the provisions of this code.

**If the HOA received City Council approval, ALL appropriate provisions of the California Vehicle Code will be enforced.**

III. 22658(a) CVC

A. When a property owner cannot locate the driver of a vehicle which is illegally parked on his/her own property, he/she may have the vehicle removed by a private tow company provided the property owner is in compliance with the conditions set forth in the *California Vehicle Code* (CVC) section 22658(a). These provisions include, but are not limited to, the following:

1. There is displayed, in plain view at all entrances to the property, a sign not less than 17 by 22 inches in size, with lettering not less than one inch in height, prohibiting public parking and indicating that the vehicle(s) will be removed at the owner's expense, and containing the telephone number of the Irvine Police Department (949-724-7200). **Additionally required on or below the sign is the name and phone number of the tow company you use (have written or verbal agreement with) who has a tow yard within ten miles of the property from which the vehicle is being towed.**
2. The vehicle has been issued a notice of parking violation and 96 hours have elapsed since the issuance of that notice.
3. The vehicle is inoperable, lacking an engine, transmission, wheels, tires, etc., the owner has notified the Irvine Police Department, and 24 hours have elapsed since that notification.

[NOTE: The California Vehicle Code has many provisions requiring certain postings and notification by property owners or their agents, depending on the circumstances surrounding the removal of the vehicle. The property owner should first refer to the law contained therein (i.e., unabridged text) before removing vehicles from private property. A current text of the section is available at [www.dmv.ca.gov](http://www.dmv.ca.gov).

The images on the following pages are to be utilized as a resource for the needs of the property in question. They include examples of a petition and signage

For additional information or assistance, contact the Irvine Police Department at (949) 724-7000.



**CITY OF IRVINE  
PUBLIC WORKS**



DIMENSIONS (INCHES)								
A	B	C	D	E	F	G	H	J
24	19 1/2	1/4	1 1/2	3	3/4	1 1/4	1	1/2

**COLORS**  
 LEGEND & BORDERS = BLACK  
 BACKGROUND = WHITE (REFL.)

**PRIVATE PROPERTY IMPOUND SIGN**

**STD. PLAN  
404**

SHEET 1 OF 1

MARK CARROLL, R.C.E. 31515  
 CITY OF IRVINE - CITY ENGINEER

DATE

MUTCD NUMBER: NONE CALTRANS CODE: NONE

**◆ TIME PARKING**

1. CUSTOMER
2. GUEST
3. VISITOR
4. PERMIT

A	B	C	D	E	F	G	H	J
18	12	1/4	6	4.75	1.25	1.75	2.5C	1

**COLORS**  
 LEGEND & BORDER = GREEN  
 BACKGROUND = WHITE (REFL.)

NO.	INT.	DATE

CITY OF IRVINE • PUBLIC WORKS DEPARTMENT • TRANSPORTATION SERVICES

**TIME RESTRICTED PARKING**

APPROVED BY: *C. Lapinski*  
 CONRAD LAPINSKI - R.T.E. 57  
 CITY TRAFFIC ENGINEER

DATE: 11/9/94

SIGN PLAN NO. **SNS140**

FILE NAME: 5452140.DWG

MUTCD NUMBER: NONE CALTRANS CODE: R26F

\* CONDENSE SPACING = 27X

DIMENSIONS (INCHES)									
A	B	C	D	E	F	G	H	J	K
12	18	1/4	5 1/2	3B	2 1/4B	1/2	1/2 C	1 5/8	5 3/8

COLORS  
LEGEND & BORDER = RED  
BACKGROUND = WHITE (REFL.)

REVISIONS		
NO.	INT.	DATE

 FILE NAME SNS0136.DWG	CITY OF IRVINE • PUBLIC WORKS DEPARTMENT • TRANSPORTATION SERVICES	SIGN PLAN NO.
	<b>NO STOPPING FIRE LANE</b>	
	APPROVED BY: <i>C. Lapinski</i> CONRAD LAPINSKI - R.T.E. 57 CITY TRAFFIC ENGINEER	DATE 10/26/194

MUTCD NUMBER: NONE CALTRANS CODE: NONE

**CUSTOMER  
PARKING  
ONLY**

\* TYPE OF RESTRICTED PARKING

**\* RESTRICTED PARKING**


1. CUSTOMER
2. GUEST
3. VISTOR
4. PERMIT
5. RESIDENT
5. EMPLOYEE
6. DELIVERY

DIMENSIONS (INCHES)				
A	B	C	D	E
12	1.25	1/4	2.5C	1

REVISIONS

NO.	INT.	DATE

COLORS  
LEGEND & BORDER = BLACK  
BACKGROUND = WHITE (REFL.)

 <small>FILE NAME SNS139.DWG</small>	CITY OF IRVINE • PUBLIC WORKS DEPARTMENT • TRANSPORTATION SERVICES	SIGN PLAN NO.
	<b>RESTRICTED PARKING</b>	
	APPROVED BY: <i>C. Lapinski</i> <small>CONRAD LAPINSKI - R.T.E. 57 CITY TRAFFIC ENGINEER</small>	11/9/94 DATE

SNS139

**PETITION OF \_\_\_\_\_ HOMEOWNER'S ASSOCIATION  
REQUESTING CITY ENFORCEMENT OF PRIVATE STREETS**

THIS PETITION OF \_\_\_\_\_ HOMEOWNER'S ASSOCIATION REQUESTING CITY ENFORCEMENT OF PRIVATE STREETS ("Petition") is dated this \_\_\_\_ day of \_\_\_\_\_, 2008.

WHEREAS, the \_\_\_\_\_ Homeowner's Association ("Association") desires to submit this Petition in order to request that the City of Irvine, a municipal corporation ("City"), by ordinance or resolution, find and declare that the privately owned and maintained roads within the City and the interests of the residents residing along the roads and the motoring public, by reason of their proximity to or connection with highways, will best be served by application of California Vehicle Code (C.V.C) § 21107.7 to those roads.

NOW, THEREFORE, BE IT RESOLVED that this Petition was regularly introduced and adopted by the Board at a duly notified regular meeting held on the \_\_\_\_ day of \_\_\_\_\_, 2008.

RESOLVED FURTHER, that the decision to file this Petition with the City was made by a majority of the owners of the Association, or by at least a majority of the Board.

RESOLVED FURTHER, that in accordance with C.V.C. § 21107.7, the Association gave the owners of the road or all owners in the Association development ten (10) days' prior written notice of the decision to file this Petition with the City;

RESOLVED FURTHER, that the Association acknowledges and understands that pursuant to C.V.C. § 21107.7, the City may impose reasonable conditions and may authorize the Association to erect traffic signs, signals, markings, and devices which conform to the uniform standards and specifications adopted by the Department of Transportation and/or City regulations governing the same.

RESOLVED FURTHER, that the foregoing named persons are the officers of the Association, duly elected or appointed, qualified and acting as such, and that the signatures set opposite their names are their genuine signatures and may be accepted as such by City.



RESOLVED FURTHER, that this Petition is signed by all the members of the Board that are in support of the Petition and that the undersigned collectively constitute a majority of the Board.

\_\_\_\_\_  
President of the Board

\_\_\_\_\_  
Vice-President of the Board

\_\_\_\_\_  
Secretary of the Board

Other Members in support of this Petition:

\_\_\_\_\_  
Member of the Board

\_\_\_\_\_  
Member of the Board

\_\_\_\_\_  
Member of the Board

\_\_\_\_\_  
Member of the Board

\_\_\_\_\_  
Member of the Board

\_\_\_\_\_  
Member of the Board

\_\_\_\_\_  
Member of the Board

\_\_\_\_\_  
Member of the Board