

**LAKE OF THE PINES ASSOCIATION  
POLICIES & PROCEDURES**



**California Vehicle Code Enforcement**

WHEREAS, it is the policy of Lake of the Pines Association (LOP) to enforce the Vehicle Code of the State of California (CVC) within the LOP subdivision pursuant to Article VIII, Section 17 and 18 of the Association's Restated Covenants, Conditions, & Restrictions (CC&Rs), California Civil Code Section 1363 (Davis-Sterling Act) and County of Nevada Board Supervisor's Resolution No. 75320, passed on September 16, 1975, implementing California Vehicle Code Section 21107.7 to LOP privately owned and maintained roads not open for public use, and

WHEREAS, LOP has the authority to establish Rules pursuant to Article III and enforce same pursuant to Article XIII of the Association's CC&Rs and has established a Schedule of Fines contained in a Fine Policy which applies to the enforcement procedure described therein, and

WHEREAS, it is the practice of LOP to require its members and guests to yield and stop for amber lights within the community in the course of a vehicle stop by Department of Public Safety personnel pursuant to LOP's enforcement authority granted herein, and

WHEREAS, it is the practice of LOP to utilize Public Safety Officers of the Association to enforce the vehicle code within LOP, and

WHEREAS, it is the practice of LOP to define which moving violations will be adjudicated in-house and which traffic violations will be forwarded to the County of Nevada District Attorney for prosecution pursuant to County Resolution 75320, and

WHEREAS, LOP has successfully satisfied the conditions set forth in County Resolution 75320 with regard to the erection of appropriate signs at the entrances to roadways clarifying the application of the Vehicle Code and enforcement of same, the erection of traffic signs, signals, markings, and devices, and

WHEREAS, LOP has completed an Engineering & Traffic Survey pursuant to the CVC and a LOP Board resolution Establishing Realistic Speed Zones and has completed the orientation and training for LOP Public Safety Officers charged with the enforcement authority granted herein.

NOW, THEREFORE BE IT RESOLVED, that the Board of Directors does hereby adopt the following policy:

1. Motorists committing violations of the California Vehicle Code (CVC) or traffic control signs or markings erected by LOP which directly affect the safety of persons or property within the community shall be stopped by the use of amber lights and identified by the LOP Department of Public Safety.  
Depending on the circumstances involved, an Officer shall issue a warning, issue a violation notice, contact the California Highway Patrol for further investigation or refer a written complaint to the District Attorney's Office.
2. CVC violations resulting in the issuance of a warning or citation to be processed in-house will be first offense infractions (exceptions listed in Section 4 below).
3. Vehicle Code violations to be referred to the California Highway Patrol for further investigation include:
  - A. Suspicion of "driving under the influence"
  - B. Traffic accident involving property damage or bodily injury
4. CVC violations to be referred to the District Attorney's Office for prosecution include:
  - A. All speeding violations in excess of 14 MPH over the posted speed limit
  - B. Serious first offense infractions such as Reckless Driving, Speed Contests, etc.
  - C. Third offense moving violations unless there are three years between citations.
5. If a vehicle driven by an owner, resident, or guest commits a CVC violation and refuses to stop for identification, the officer shall identify the vehicle license number and make every reasonable attempt to identify the owner or the owner responsible for the resident or guest. Once identified, the owner, resident or guest shall be issued a citation or referred to the appropriate agency.

Approved: March 19, 2008 R-08-160 (Effective April 15, 2008)