



Lake of the Pines Association Rules & Regulations

This rule is an Operating Rule as defined in the Davis-Stirling Common Interest Development Act and, to the extent it may conflict with any previous Operating Rules, supersede and prevail over such previous rules. All Operating Rules, whether characterized as rules, policies, procedures and otherwise are subject to the provisions of the Restated Declaration of Covenants, Conditions and Restrictions (“CC&Rs”) currently in effect for this Association.

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 the same, the erection of traffic signs, signals, markings, and devices. LOP has also satisfied the conditions set forth in California Vehicle Code Section 22352, which states the prima facie limits are as follows and shall be applicable unless changed as authorized in this code and, if so changed, only when signs have been erected giving notice thereof and contained within subsection (b)(1), twenty-five miles per hour on any highway, in any business or residence district unless a different speed is determined by local authority or the Department of Transportation under procedures set forth in the code.



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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 may be stopped by the use of amber lights and identified by the LOP Department of Public Safety.
Depending on the circumstances involved, an Officer may 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 may be referred to the District Attorney's Office for prosecution include, but are not limited to:
 - A. Speeding violations in excess of 10 MPH over the posted speed limit.
 - B. Serious first offense infractions such as Reckless Driving, Speed Contests, etc.
 - C. Multiple documented moving violations within a concentrated timeframe or that are deemed egregious in nature.
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 may be issued a citation or referred to the appropriate agency.