

# Forest Lakes Mutual Water Company

## **Forest Lakes Mutual Water Company Approved Parking Policy and Clarifications on Accessing Private Property**

### **Background**

The Rules Committee of the Forest Lakes Mutual Water Company Board of Directors (FLMWC Board) was tasked with drafting reasonable rules associated with parking on property owned by FLMWC, and to clarify access to and from private property to address misconceptions that shareholders may have about such access.

The goal of the Board was to develop a parking policy that is fair and reasonable to all shareholders, but also one that absolutely safeguards the ability of FLMWC to fulfill its dual mission of effectively/safely providing clean water and maintaining roads and water systems. This includes the need to have access to FLMWC equipment and property to help minimize financial, liability and safety risks to the company and all shareholders. Most importantly, it is necessary to maintain for emergency response vehicles at all times.

A vibrant part of our community is the lake; its vitality cannot be overstated. As a riparian corridor that is regulated by the state, the lake and surrounding areas must be safeguarded to not only ensure recreational enjoyment, but most importantly to protect the integrity of our most precious resource, i.e., the water system itself. This is why it was important to develop reasonable parking rules for property owned by FLMWC.

### **Prior Parking Rules**

After conducting due diligence research, including reviews of company files and meeting minutes, the Rules Committee could not determine with a high degree of certainty whether specific parking regulations were adopted through Board approval within the last several years. Previous operational actions to address parking issues during this timeframe were taken in response to situations that occurred on a case-by-case basis. Use of the lake, park and office areas, including parking, as well as rules governing parking on private property, have historically been incorporated in the FLMWC rules and regulations. This includes the prohibition of parking on private roadways, primarily so that access by emergency response vehicles is not impaired.

### **Community Engagement Process**

The Board values community engagement and provided three opportunities for shareholder input. The first opportunity invited written responses to the policy draft which were read at the December 11, 2018 Board meeting, the second opportunity was to provide comments at the December 11, 2018 Board meeting and the third was to provide comments at the February 12, 2019 Board meeting prior to approval. After review of written responses and comments the Board approved the following parking policy at the February 12, 2019 Board meeting.

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### *Parking Regulations for FLMWC-owned Property*

In the spirit of fairness and safety for all shareholders, and the ability for FLMWC to fulfill its dual mission of providing water and maintaining roads and water systems, parking on property owned by FLMWC is permitted only under the following conditions:

1. Lower and overflow lake parking for lake usage only. No overnight parking allowed.
2. FLMWC office/park parking lot for official FLMWC business, park recreational use and temporary parking outside of normal business hours. No overnight parking allowed.
3. Short term exceptions for overnight parking must be pre-approved by FLMWC.

### Violations

1. The first violation will result in request to move/warning of potential tow.
2. If the request to move is ignored, a second warning will be issued, and if ignored will result in the vehicle being towed at owner's expense.
3. All further violations will result in the vehicle being towed at owner's expense.
4. In the event of an emergency, vehicles may be towed without notice.

It is important to note that FLMWC is not an enforcement entity. Addressing parking issues will necessarily be done on a complaint basis. Shareholders are expected to abide by the parking regulations to help ensure the safety and security of shareholders and water systems.

### *Private Property Easements to Forest Lakes-owned Equipment*

Shareholders are reminded that only the company and its official representatives retain granted easement rights to access FLMWC equipment such as tanks, wells, pumps, etc., that is located on private property.

### *Access Over Private Roads and Property*

With the exception of the Lakeview and Brookside roadways, ALL roads, pathways and parking areas in Forest Lakes are private property.

Being a FLMWC shareholder does NOT mean that parking at or hiking through paths on private property in our community is a granted right of easement. Rather, it is a privilege. Please respect private property and all signage – do not walk off-road, park anywhere or otherwise enter private property without permission of the owner.

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## **Forest Lakes Mutual Water Company Supplemental Private Roads Parking and Towing Policy Approved July 12, 2022**

For the safety of the community, and to protect shareholder and company finances, the Board of Directors hereby enacts a towing policy for vehicles parked in such a way that they partially or wholly block a road within the community. This policy is in conformance with our company rights and responsibilities and also in conformance with applicable state and local laws.

- Vehicles blocking roads constitute an immediate safety hazard by blocking the passage of emergency response vehicles.
- Vehicles blocking roads also block passage of service vehicles and routine traffic.
- Vehicles parked in such a way as to force traffic off the pavement create damage to the roadway and also potentially set the stage for drainage issues in the area.

On the narrow private roads of Forest Lakes, vehicles must be parked fully off the road, so as to not block passage by other vehicles or force other vehicles onto the shoulder of the road.

There will be three circumstances where a vehicle may be towed.

1. Vehicles fully blocking the private roads may be towed without notice. Vehicles blocking a road create an immediate safety hazard in delaying emergency response vehicles. Blocking a road also creates a nuisance for the community, in forcing detours and blocking timely access by contractors or service vehicles.
2. On the narrow roads of Forest Lakes, vehicles not completely blocking the road, but parked in such a way as to force traffic to detour off the road or onto the shoulder of the road create a situation where the road is damaged by forcing traffic driving repeatedly over the pavement edges. Vehicles parked like this will be tagged with a courtesy notice. A second incident will result in a warning that the vehicle may be towed. A third incident will result in the vehicle being towed.
3. Unlicensed vehicles, vehicles with expired registrations, and inoperable vehicles may not be stored on Forest Lakes private roads, whether or not they are blocking the road. Vehicles in this category must be stored on the owner's property.

### References

(1) Forest Lakes Charter:

[https://www.forestlakesfelton.com/files/ugd/1390f3\\_48c1c511b68b440fa67076bb1db65083.pdf](https://www.forestlakesfelton.com/files/ugd/1390f3_48c1c511b68b440fa67076bb1db65083.pdf)

*Please see Bylaw IV, Items 10 and 12.*

(2) California Vehicle Code, Authority to Remove Vehicles

[https://leginfo.ca.gov/faces/codes\\_displaySection.xhtml?lawCode=VEH&sectionNum=22658](https://leginfo.ca.gov/faces/codes_displaySection.xhtml?lawCode=VEH&sectionNum=22658)

(3) Santa Cruz County Fire Code