

**DOBBINS HEIGHTS COMMUNITY ASSOCIATION**  
**PARKING ENFORCEMENT POLICY**

*Adopted by the Board of Directors on August 15, 2025*

**1. Purpose**

This Policy consolidates and clarifies the Dobbins Heights Community Association's ("Association") parking restrictions, establishes a progressive fine schedule, and sets forth towing protocols for both **Member Vehicles** (vehicles owned or used by Owners, Tenants, or other Residents) and **Non-Member Vehicles** (vehicles owned or used by individuals who are not Owners, Tenants, or Residents, such as guests). This Policy is adopted pursuant to the Association's governing documents—particularly the **Declaration of Covenants, Conditions, Restrictions and Easements for Dobbins Heights ("Declaration")** at §§ 4.11 & 4.15—and applicable Arizona law.

**2. Authority**

1. **Contractual Authority.** The Declaration grants the Association the right to regulate parking and to tow violators at the cost of the Owner (§§ 4.15(I) and (J)). By acceptance of the deed, each Owner contractually agrees to these restrictions on behalf of all residents and guests.
2. **Statutory Authority & Limitations.**
  - **A.R.S. § 33-1806/33-1860** ("Rental Registration"). Owners who rent must provide tenant names, contact info, and vehicle data within 15 days of lease commencement.
  - **A.R.S. § 9-499.05** (Private-property towing). Applies when towing a **Non-Member Vehicle**; requires conspicuous towing-warning signs at *each* entrance/exit **and** at a location plainly visible from where the vehicle is towed.

**3. Definitions (Plain-Language)**

- **Garage-First Rule.** If space exists in the garage, Member Vehicles must be parked inside. Only when the garage is full may additional Member Vehicles occupy the driveway or a street/guest stall if parking on the street is first approved, in writing, by the Association.
- **Driveway Limits.** A vehicle may not block sidewalks/curbs or extend beyond the driveway's depth.
- **Oversized & Commercial Vehicles.** Vehicles taller than 8 ft., longer than 24 ft., or bearing commercial equipment may not be visible from neighboring property, except for active loading/unloading ( $\leq 72$  hrs. in any seven-day (7) period for RVs; contractors/vendors during working hours only).

- **Storage Prohibition.** Storage of any vehicle is only allowed inside a garage. A vehicle is deemed stored if left covered or unmoved for 14 days. Additional evidence of stored or abandoned vehicles is those with expired license plate registration tags or no license plates. Vehicles cannot be stored, whether covered or uncovered, on any street.
- **72-Hour RV Rule.** Recreational Vehicles may occupy a driveway **only** for loading/unloading up to 72 hours in any rolling 7-day period. If the RV is too long to fit fully in a driveway, the RV may be parked on the street in front of the resident's home for a period up to 72 hours so long as the RV does not block sidewalks or neighboring driveways and complies with Arizona law, i.e. not in front of a fire hydrant.
- **Common Area Ban.** There shall be absolutely no parking on any landscaped surface. There shall be no parking in front of any amenity areas including park areas, unless the resident is actively enjoying the amenity. Non-amenity parking only includes garages, driveways, marked stalls, or streets nearest the resident's property.

#### 4. Vehicle Registration Requirements

1. **Tenants.** All rental property owners must comply with A.R.S. § 33-1860 by registering tenant contact details **and** tenant vehicles before any period of occupancy. All tenants must file a Vehicle Information Form listing make, model, color, plate, and permit number for every regularly parked vehicle.
2. **Permits/Decals.** The Association may issue windshield decals or RFID tags to members' vehicles; failure to display is prima facie evidence of a Non-Member Vehicle. Any requested variance must be submitted by the resident to the Association, via its Management Company, at least 48 hours in advance.

#### 5. Progressive Fine Schedule (per separate incident)

- In accordance with the Association's existing Enforcement Policy, residents will first receive official written warning of the parking violation.
- **First violation:** \$250.00
- **Second violation (within 90 days):** \$500.00
- **Third & subsequent violations (within 90 days):** \$1,000.00
- Fines are due 15 days from notice and, if unpaid, become a Special Assessment on the owner's account subject to lien and collection.

#### 6. Enforcement & Towing Procedures

##### 6.1 Member Vehicles

1. **Immediate Towable Offenses.** Blocking fire lanes or hydrants; parking on or partially on sidewalks including parking in front of sidewalk ramps used for handicap access, or in front of mail kiosks; creating safety hazards; parking on turf, landscaped surfaces, or on Common Areas.
2. **Notice-Before-Tow Offenses.** All other violations: a Courtesy Sticker Tag (48 hour compliance window) is placed on the vehicle, **or** an electronic photo notice is sent to the Owner/Tenant.
3. **Repeat Violations.** If the same vehicle repeats the offense within 90 days, the Association may tow without additional notice and impose the next fine tier.
4. **Procedural Waiver.** Because Members contractually agreed to the Declaration, statutory signage and written tow authorizations are not prerequisites for towing a Member Vehicle; however, the Association will maintain internal documentation (photos, date/time, violation type) for each towing occurrence.

## **6.2 Non-Member Vehicles (Guests, Unknown, Trespassers)**

1. **Signage Compliance.** Towing is permitted only if the Association has posted:
  - o A sign at **every entrance and exit; and**
  - o At least one sign **clearly visible from the place of towing**, each sign meeting A.R.S. § 9-499.05 size, wording, and contact information requirements.
2. **Written Authorization.** Each tow must be authorized in writing by the Association's contracted Management Company or designated security personnel, including the Association's designated towing patrol service, consistent with A.R.S. § 9-499.05(B).
3. **No Courtesy Period Required.** Non-Member Vehicles may be towed immediately upon violation once statutory signage is in place.

## **7. Notice, Hearing & Appeal Rights**

1. **Notice of Violation.** Sent by email or USPS to the Owner within 5 days of fine or tow; includes photo evidence and hearing date.
2. **Hearing.** Owner and other residents may appear before the Board or Violations Committee to contest within 21 days.
3. **Decision & Appeal.** Decision issued within ten (10) days after hearing. Board decision is final.

## **8. Cost Recovery & Assessment Lien**

All fines, towing fees, and related costs (signage, administrative, legal) are the personal obligation of the Owner and secured by the Assessment Lien described in Declaration § 15. Interest accrues at 12% per annum on unpaid balances.

#### **9. Towing Vendor Requirements**

- Must hold an Arizona towing license, insurance, and a current contract with the Association.
- Must provide 24/7 vehicle retrieval within 15 miles of the community and accept at least two major credit cards.

#### **10. Amendments & Review**

This Policy may be amended by majority vote of the Board after 30 days' member notice. The Board will review its effectiveness annually.

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#### **Certification**

The undersigned certifies that the foregoing Parking Enforcement Policy was duly adopted by the Board of Directors of the Dobbins Heights Community Association on August 15, 2025.

*Meghan Boyd*

President, Board of Directors