



HOUSTON
HOUSING AUTHORITY

Transforming Lives & Communities

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HOUSTON HOUSING AUTHORITY
Public Housing Parking & Towing Policy

This Towing Policy is applicable to the following developments owned by the Houston Housing Authority (“HHA”):

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| 1. 2100 Memorial | 10. Fulton Village |
| 2. Allen Parkway Village | 11. Heatherbrook |
| 3. Bellerive | 12. Irvinton Village |
| 4. Clayton Homes | 13. Kelly Village |
| 5. Cuney Homes | 14. Kennedy Place |
| 6. Ewing Apartments | 15. Lincoln Park |
| 7. Long Drive | 16. Oxford Place |
| 8. Lyerly | 17. Telephone Road |
| 9. Forest Green | 18. Victory |

FOREWORD

To combat the danger created by unauthorized parked vehicles and to maintain a decent, safe and sanitary environment for the residents of HHA developments, this Towing Policy addresses unauthorized parking at the HHA Developments listed above. All residents must comply with this Towing Policy and the Standard Operating Procedures (“SOP”) to Enforce the Towing Policy of the HHA.

1. THE HHA TOWING POLICY

- a. The Towing Policy, as adopted by the Commissioners of the HHA, complements and adheres to the Occupations Code, Title 14, Chapter 2308 (the Texas Towing Act) for removal of unauthorized vehicles to vehicle storage or vehicle parking facilities.
- b. It is the policy of HHA to have unauthorized vehicles parked on its developments removed and stored at a vehicle storage facility. The HHA, as owner of the properties listed above, has the authority to cause an unauthorized parked vehicle to be removed, without the consent of the owner or operator of the unauthorized vehicle, and have it stored at a vehicle storage facility at the vehicle owner’s or operator’s expense.
- c. This policy establishes the following definitions:
 - i. Vehicle means and includes an operable or inoperable automobile, truck, motorcycle, recreational vehicle, tractor or trailer.
 - ii. Vehicle Storage Facility means a facility operated by a person or entity licensed to store vehicles.

- iii. Parking Facility means a public or private property used in whole or in part for restricted vehicle parking.
- iv. Unauthorized Vehicle means a vehicle parked, stored or located on a parking facility without the consent of the parking facility owner.

2. REMOVAL AND STORAGE OF UNAUTHORIZED VEHICLES

The Property Manager may, without the consent of the owner or operator of an unauthorized vehicle, cause the vehicle and any property on or in the vehicle to be removed and stored at a vehicle storage facility at the vehicle owner's or operator's expense if:

- a. Signs that comply with the requirements from Sec. 2308.301 of the Texas Occupations Code prohibiting unauthorized vehicles are located on the parking facility at the time of towing and for the preceding 24 hours and remain installed at the time of towing:
 - i. An unauthorized vehicle may be towed only if each sign prohibiting unauthorized vehicles on a parking facility is:
 - (1) facing and conspicuously visible to the driver of a vehicle that enters the facility;
 - (2) located:
 - (a) on the right or left side of each driveway or curb-cut through which a vehicle can enter the facility, including an entry from an alley abutting the facility; or
 - (b) at intervals along the entrance so that no entrance is farther than 25 feet from a sign if:
 - (c) curbs, access barriers, landscaping, or driveways do not establish definite vehicle entrances onto a parking facility from a public roadway other than an alley; and
 - (d) the width of an entrance exceeds 35 feet;
 - (3) permanently mounted on a pole, post, permanent wall, or permanent barrier;
 - (4) installed on the parking facility; and
 - (5) installed so that the bottom edge of the sign is no lower than five feet and no higher than eight feet above ground level.
 - ii. An unauthorized vehicle may be towed only if each sign prohibiting unauthorized vehicles:
 - (1) is made of weather-resistant material;
 - (2) is at least 18 inches wide and 24 inches tall;
 - (3) contains the international symbol for towing vehicles;
 - (4) contains a statement describing who may park in the parking facility and prohibiting all others;
 - (5) bears the words "Unauthorized Vehicles Will Be Towed at Owner's or Operator's Expense";
 - (6) contains a statement of the days and hours of towing enforcement; and
 - (7) contains a number, including the area code, of a telephone that is answered 24 hours a day to enable an owner or operator of a vehicle to locate the vehicle.
 - iii. An unauthorized vehicle may be towed only if each sign prohibiting unauthorized vehicles also meets the following color, layout, and lettering requirements from Sec. 2308.302 of the Texas Occupations Code:

- (1) A bright red international towing symbol, which is a solid silhouette of a tow truck towing a vehicle on a generally rectangular white background, at least four inches in height, must be on the uppermost portion of a sign or on a separate sign placed immediately above the sign.
- (2) The portion of the sign immediately below the international towing symbol must contain the words "Towing Enforced" in lettering at least two inches in height. The lettering on this portion of the sign must consist of white letters on a bright red background.
- (3) The next lower portion of the sign must contain the remaining information required, displayed in bright red letters at least one inch in height on a white background:

INTERNATIONAL TOWING SYMBOL
RESIDENT PERMIT
PARKING ONLY
 UNAUTHORIZED VEHICLES
 WILL BE TOWED AT
 OWNER'S OR OPERATOR'S EXPENSE
TOWING ENFORCED AT ALL TIMES

- (4) The bottommost portion of the sign must contain the telephone number required, in lettering at least one inch in height, of the storage facility to which an unauthorized vehicle will be removed. The lettering on this portion of the sign must consist of white letters on a bright red background.
- b. The vehicle is left in violation of Sec. 2308.251 of the Texas Occupations Code; or,
 - i. Unauthorized Vehicles (as defined by Subchapter F, Sec. 2308.251 of the Occupations code) on HHA property, under certain circumstances, are subject to removal and storage without additional notice required prior to removal:
 - (1) If the owner or operator of a vehicle leaves unattended on a parking facility a vehicle that:
 - (a) is in or obstructs a vehicular traffic aisle, entry, or exit of the parking facility;
 - (b) prevents a vehicle from exiting a parking space in the facility;
 - (c) does not display the special license plates issued or the disabled parking placard issued for a vehicle transporting a disabled person and is in a parking space that is designated for the exclusive use of a vehicle transporting a disabled person.
 - (d) is in or obstructs a fire lane which is clearly marked as listed below:
 - (e) Government mandated marking of a fire lane that applies to the parking facility, otherwise all curbs of fire lanes must be painted red and be conspicuously and legibly marked with the warning "FIRE LANE--TOW AWAY ZONE" in white letters at least three inches tall, at intervals not exceeding 50 feet.
 - c. The vehicle is left at apartment properties parking areas in violation of Sec. 2308.253.
 - i. In compliance with Sec. 2308.253 of the Occupations Code, this HHA policy establishes the following procedures to address situations that apply specifically to apartment property parking areas:

- (1) The owner or operator of a vehicle may not leave unattended on a parking facility a vehicle that:
 - (a) obstructs a gate that is designed or intended for the use of pedestrians or vehicles;
 - (b) obstructs pedestrian or vehicular access to an area that is used for the placement of a garbage or refuse receptacle used in common by residents of the apartment complex;
 - (c) is in or obstructs a restricted parking area or parking space designated under Section 1 above, including a space designated for the use of employees or maintenance personnel of the parking facility or apartment complex;
 - (d) is in a tow away zone, other than a fire lane, that is brightly painted and is conspicuously and legibly marked with the warning "TOW AWAY ZONE" in contrasting letters at least three inches tall;
 - (e) is a semitrailer, trailer, or truck-tractor, unless the owner or operator of the vehicle is permitted under the terms of a rental or lease agreement with the apartment complex to leave the unattended vehicle on the parking facility; or
 - (f) is leaking a fluid that presents a hazard or threat to persons or property.
- (2) Expired Tags and Inspection: Updated Lease Agreements and your property's "Parking Rules", will contain a required contract provision advising residents that vehicles will be towed **after giving 10 days notice** for any vehicle that does not display an unexpired license plate or a valid vehicle inspection certificate.
 - (a) The **10 days written notice**, before towing must be:
 - (1) delivered in person to the owner or operator of the vehicle; or
 - (2) sent by certified mail, return receipt requested, to that owner or operator.

3. STANDARD OPERATING PROCEDURES TO ENFORCE THE TOWING POLICY ON HHA PROPERTIES

In order to implement the Towing Policy adopted by the Board of Commissioners, HHA management and Private Management Company (PMC) Staff must abide by and enforce the following standard operating procedures at the affected developments.

- a. Determine or identify the "NO PARKING TOW AWAY ZONES" throughout the development.
- b. Clearly mark the "NO PARKING TOW AWAY ZONES", according to the municipal requirement and/or 2308.251(c):
 - i. If a government regulation on the marking of a fire lane does not apply to the parking facility, all curbs of fire lanes must be painted red and be conspicuously and legibly marked with the warning "FIRE LANE--TOW AWAY ZONE" in white letters at least three inches tall, at intervals not exceeding 50 feet.
 - ii. Determine the appropriate locations and place signs at entrances and as otherwise required, prohibiting unauthorized vehicles on the property. The signs must be in compliance with the requirements of Sect. 2308.301 of the Texas Occupations Code, which are included in Section 1 of the "HHA Towing Policy" (listed above).

- c. Issue parking permits to resident vehicles in compliance with the Houston Housing Authority “Parking Rules and Agreement” (attached), which each resident is required to sign before they will be issued a parking permit.
 - i. A vehicle that is out of compliance with this policy will be issued a written warning to remedy the violation.
 - ii. If violation is not remedied within ten (10) days, the vehicle may be towed.
 - iii. Written warning does not apply to vehicles parked in tow-away zones.
- d. Enforce “No Parking Tow Away Zones” by contacting the site-specific towing company when vehicles are in unauthorized parking or fire zones.

TENANT ACKNOWLEDGMENT

I, _____, have received the HHA’s Parking and Towing policy and I agree to comply with the provisions. I understand that any violation of this policy and the established HHA procedures shall be considered a violation of my Residential Lease Agreement and may be cause for lease termination.

Tenant’s Signature	Unit #	Property Manager’s Signature
Date		Date