

Facts concerning removal of vehicles from private property

Provided the requirements of sections 22658, 22853 and 22953 of the California Vehicle Code and section 6-8 of the Hayward Municipal Code, the owner or other person in lawful possession of private property may remove a vehicle from the property.

The Hayward Municipal Code prohibits the removal of a vehicle from private property without prior clearance by a police officer of the city (see sections 6-8.30 of the Hayward Municipal Code for further information).

Section 22658 authorizes the removal provided the following requirements are met:

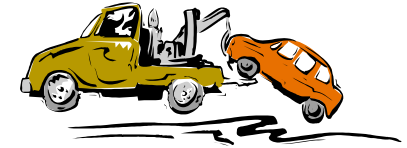
(a) The owner or person in lawful possession of any private property, including an association of a common interest development..., may cause the removal of a vehicle parked on the property to a storage facility... under **any** of the following circumstances:

1. There is a sign displayed in plain view at all entrances prohibiting public parking.
2. The vehicle has been issued a notice of parking violation and 96 hours have elapsed since the issuance of that notice.
3. The vehicle is on private property and lacks an engine, transmission, wheels, tires, doors, windshield, or any other major part or equipment necessary to operate safely on the highways, the owner or person in lawful possession of the private property has notified the local law enforcement agency and 24 hours have elapsed since that notification.
4. The lot or parcel upon which the vehicle is parked is improved with a single-family dwelling.

- (b) The tow truck operator removing the vehicle, shall immediately give notice in writing to the registered owner and legal owner (if known) the following information:
1. The fact of the removal.
 2. The grounds for removal
 3. The place to which the vehicle has been removed.

Section 6-8 of the Hayward Municipal Code

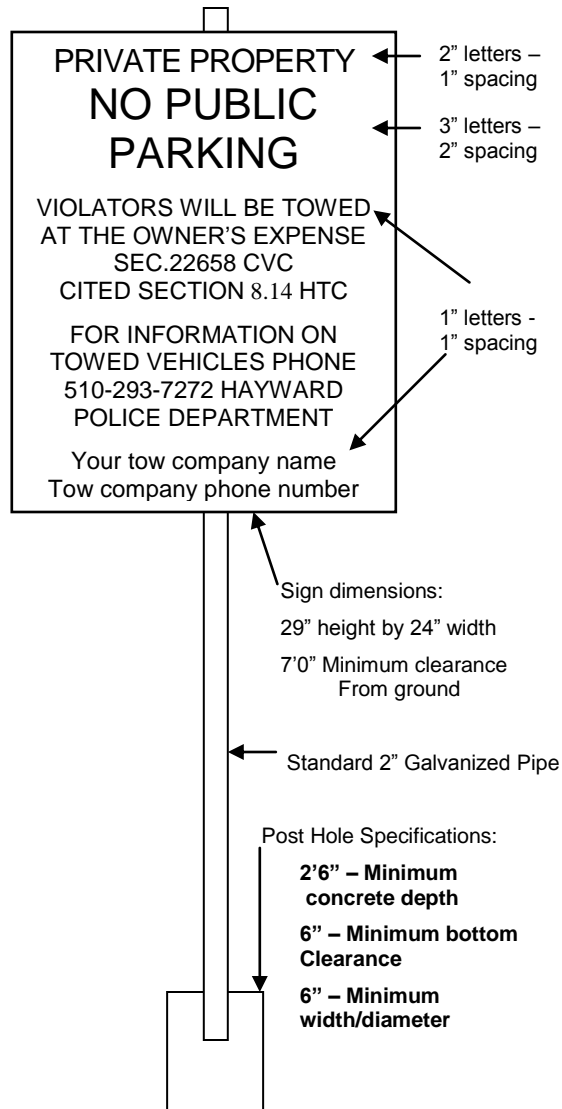
No person shall have another person's vehicle towed from private property in the City of Hayward unless the Police Department of the City has arrived at the scene of the tow and has cleared the vehicle for tow. Issuance of a citation for violation of 8.14 HTC shall be deemed clearance for the tow. If the owner of the vehicle arrives prior to police clearance, the vehicle shall be released without any charges by the towing operator. Releasing the vehicle shall not prevent the issuance of a citation by a police officer if the vehicle is still on the scene when the officer arrives.



POLICE PRE-APPROVAL: In lieu of police presence to clear a vehicle at the scene, the Police Department Traffic Bureau may pre-authorize private property owners, agents or managers, to have vehicles removed once the property has been inspected to assure that required tow-away signs have been posted by giving adequate notice that parking is prohibited or restricted.

Private Property Authorized Sign

Signs shall be made of metal, all-weather, fade-resistant materials and shall have BLACK "series C" letters upon a WHITE background. The size shown shall be the minimum. No variation of information provided is acceptable.



Are you aware of the Crime Free Multi-Housing Program?

It is a Partnership between the City of Hayward, Law Enforcement, Fire, Public Works, Planning & Development, and Rental Property Owners and Management, and Residents.

For more information, contact:

**Crime Prevention
(510) 293-5051**

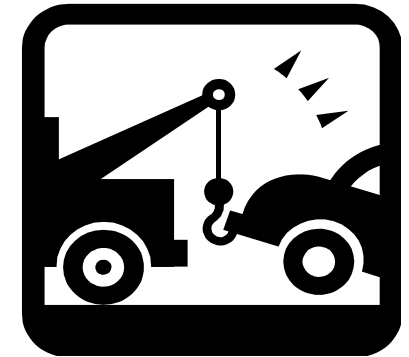


Call for further information:

**Traffic Bureau
(510) 293-7011**

PRIVATE PROPERTY TOWING

Guidelines for Property and Apartment Managers



HAYWARD POLICE DEPARTMENT

300 West Winton Avenue
Hayward, CA 94544-1137

Phone: (510) 293-7272

FAX: (510) 293-7114

TDD: (510) 783-8884