Motorized Vehicle Policy
I. AUTHORIZATION

1. Tennessee Code Annotated, § 66-28-518, (c)

2. City of Johnson City Ordinances

3. Johnson City Housing Authority Resolution No. FFY10-14

4. Johnson City Housing Authority Resolution No. FFY00-52 establishing a Motorized Vehicle Policy (Motorized Vehicle Policy established by this Resolution rescinded by Resolution No. FFY10-14)

5. Johnson City Housing Authority House Rules

II. PURPOSE

The purpose for this Policy is to establish a Johnson City Housing Authority-wide (“Authority”) system governing the registration, use, parking, and maintenance of motorized vehicles on Authority property.

III. COMPLIANCE RESPONSIBILITY

Compliance responsibility for this Policy is assigned as follows:

- The Community Policing Program Coordinator (“Coordinator”) has primary responsibility for ensuring full compliance with this Policy, unless said responsibility has otherwise been designated by the Director of Admissions and Occupancy.

- In the event of the Coordinator’s absence, the Director of Admissions and Occupancy has full responsibility for ensuring Policy compliance.

IV. POLICY

1. The Authority shall provide parking areas on its grounds for use by its employees.

2. Parking for residents, guests, and visitors is on a first-come, first serve basis and spaces are not assigned to individual units.

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1 Resolution No. FFY10-14 rescinding all previously adopted Motorized Vehicle Policies and approving and adopting a modified Motorized Vehicle Policy.
3. Disabled/handicapped parking shall be provided in compliance with the Americans with Disabilities Act.

4. All persons using Authority parking lots are required to obtain and display a valid parking decal.

5. As a condition of issuance, retention, and continued use of parking decals, motorized vehicle operators shall at all times comply with the Authority’s parking rules, applicable State of Tennessee (“State”) laws, and City of Johnson City (“City”) ordinances which pertain to the operation and use of a motor vehicle.

6. A resident parking decal that is lost or mutilated, or in any way not identifiable as a valid Authority parking decal shall be considered invalid.
   a. Upon sufficient proof of loss or mutilation, a replacement decal may be obtained from the Community Policing Division for a fee of fifteen dollars ($15.00).

7. Parking on Authority property is a privilege. Violation of this Policy and the Authority’s parking rules may result in the loss of parking privileges and may subject the resident, guest, or visitor to a penalty.

8. Use of Authority parking lots and/or receipt of a parking decal constitutes consent and agreement to this Policy and the Authority’s parking rules.

9. All persons, including pedestrians, drivers of motor vehicles, and bicycle riders shall obey all traffic control signs, markers, and/or crosswalk areas and devices, if applicable, of the Authority and/or the City of Johnson City.

10. The Authority is not responsible for loss of or damage to any privately owned vehicle or its contents while parked on Authority property.

V. PARKING RULES

1. Parking rules and regulations are in effect 24 hours a day unless signs in areas indicate otherwise.

2. Parking is limited to marked, delineated spaces only unless the spaces are reserved for special use. The Authority may restrict the use of parking spaces at any time at its sole discretion.

3. Parking along curbs and on unpaved or other unmarked areas is prohibited.

4. Motorized vehicles shall not be driven, parked, or left standing on any part of Authority property, except for those areas designated by the Authority or the City of Johnson City as parking lots, streets, alleys, roads, or driveways.
a. Yards, sidewalks, patios, and dumpsters are not designated areas.

5. Vehicles parked on Authority property are required to display a valid parking decal.

6. Displaying a valid decal does not guarantee a specific parking space and lack of a space is not a valid excuse for violation of parking rules.

7. Residents are responsible for familiarizing themselves with the Authority’s Motorized Vehicle Policy and parking rules.

8. Parking spaces along some streets surrounding Authority developments belong to the City of Johnson City. Authority residents, guests, and visitors should abide by State motor vehicle laws and City traffic rules and regulations in these areas.

9. All vehicle operators shall observe the posted speed limits and shall come to a full stop at all stop signs and shall yield to pedestrians at crosswalks. In the absence of a posted speed limit, the speed shall not exceed 15 miles per hour. Care should be taken to reduce speed according to weather conditions.

10. All provisions of State motor vehicle laws and City ordinances are applicable to vehicles on Authority property.

11. All motor vehicle accidents on Authority property must be reported to the Johnson City Police Department and the Authority’s Community Policing Division within 24 hours. If the office staff is not available, a recorded message should be provided.

12. All new residents must register vehicles within 72 hours of lease-up.

13. Residents who feel their parking needs are not being met or who require special assistance (i.e., temporary physical disability) should contact the Department of Admissions and Occupancy.

14. The Department of Admissions and Occupancy is responsible for enforcement of this Policy.

15. Copies of this Policy are available at the Central Administrative Office, and all Resident Centers.

VI. PARKING DECALS

1. All motorized vehicles (including but not limited to cars, vans, motorcycles, motorbikes, motor scooters, and mopeds) operated by Authority residents or employees on Authority property must be registered with the Authority through its Department of Admissions and Occupancy.
1. Resident parking decals may be obtained Monday through Friday at the Authority’s Administrative Office, 901 Pardee Street, between 9:00 AM and 4:00 PM.

2. Resident parking decals must be properly displayed on all vehicles parking in Authority developments.
   a. Resident parking decals must be displayed on the rear window of the driver’s side of the vehicle.

3. To obtain an Authority Resident Parking Decal, applicant must present to the Authority’s Department of Admissions and Occupancy proof of vehicle ownership and a current and valid registration.
   a. Each resident who is a licensed driver is eligible to register one vehicle with the Authority.
   b. The motorized vehicle must be registered in a resident licensed driver’s name.

4. Counterfeiting, altering, defacing, or transferring a parking decal to another person to whom a parking decal was not issued, or giving any false information in the parking decal application is prohibited and may, in the case of a resident, result in the Authority initiating adverse action.

5. Special contractor parking needs at Authority developments are coordinated through the Department of Physical Services, who in turn will coordinate these requests with the Community Policing Coordinator.

6. Guests may park on Authority property between the hours of 6:00 a.m. and 12:00 midnight. Overnight guest parking is permitted only with a “temporary vehicle permit” issued by the Department of Admissions and Occupancy upon completion of an Application for Temporary Vehicle Permit.
   a. Temporary vehicle permits may be obtained Monday through Friday at the Authority’s Administrative Office, 901 Pardee Street, between 9:00 AM and 4:00 PM.
   b. Temporary vehicle permits are displayed on the rear window, clearly visible with no obstructions.

7. Resident parking decals shall be considered invalid if not permanently affixed to the vehicle as specified.
   a. Failure to appropriately display a parking decal after such parking decal has been issued will subject the permittee to the penalties for failure to obtain a decal.
8. Residents cited for possession and use of an altered, stolen, counterfeited, or invalid parking decal or for improper use may be fined, lose their parking privileges, or be arrested for possession of stolen property.

9. Resident parking decal must be removed and returned to the Authority within 24 hours of the following occurrences:
   a. There is a change in vehicle ownership.
   b. Termination of association with the Authority (i.e., no longer residing in Authority developments, etc.).
   c. Receipt of a decal which supersedes a prior decal.
   d. Expiration of a decal.

10. Resident parking decals are valid for the period indicated on the decal. Parking decals will be renewed at annual recertification and resident must bring in a valid driver’s license and registration in order to receive a new decal.

11. Resident parking decals are not transferable.

12. Resident must obtain a parking decal within 72 hours of purchasing a vehicle. Resident must bring in valid driver’s license and valid registration to receive a new decal.

VII. ADDITIONAL PARKING RULES

1. School buses, trucks (other than pick-up trucks or vans), recreational vehicles, all-terrain vehicles, boats, personal watercraft, snowmobiles, and trailers (i.e., boat, pop-up campers, tag-alongs, etc.) are strictly prohibited.
   a. Overnight parking of commercial vehicles is prohibited unless temporary vehicle permit has been issued (see Section VI.5 and VI.6).
   b. Overnight camping or dwelling in campers, motor homes, or trailers is prohibited at all times.

2. At no time may any vehicle be parked so as to:
   a. Impede the normal flow of traffic.
   b. Prevent the passage of emergency vehicles.
   c. Block legal access to any area, including but not limited to parking spaces, trash receptacles, sidewalks, and handicapped access ramps.
3. Handicapped parking spaces are restricted to those vehicles which have identifying plates or placards issued by the Tennessee Department of Motor Vehicles in addition to the Authority parking decal. Only vehicles displaying these decals are permitted in parking spaces denoted by the international disabled symbol.

4. All motorized vehicles must be in operative condition and properly registered as required by State law. Any vehicle not in compliance with the aforestated will be considered abandoned and will be handled in accordance with applicable City ordinances and this Policy (see Section VIII of this Policy).

5. Display of “Vehicle For Sale” signs is strictly prohibited.

6. Other than emergency repairs (i.e., flat tire, jumping a battery, etc.), residents are prohibited from performing mechanical work on any motorized vehicle while it is parked on Authority property. Mechanical work shall be deemed to include, without limitation, the following:

   a. Removal or repair of more than one tire or wheel, transmission, motor, drive-train, and/or major body components.
   
   b. Dismantling a motorized vehicle.
   
   c. Placing the vehicle on blocks, etc.
   
   d. Motorized vehicles may not be dismantled while parked on Authority property.

7. Vehicles leaking oil, gasoline, or other fluids are prohibited from parking on Authority property. Vehicle owners notified of such leaks shall immediately remove the vehicle from Authority property. Failure to comply may result in the vehicle being towed at the owner’s expense. Any cleanup or damage expense caused by such leakage will be charged back to the vehicle owner. If the owner is a guest of a resident, the resident may be held responsible.

8. Loud music from automobile radios, CD’s, or tape decks is not permitted at any time within Authority developments. The volume should be turned down when entering Authority property. Residents should also instruct their guests to turn down the volume of their radios, etc. when entering Authority property.

9. Motorcycles, motorbikes, motor scooters, and mopeds are to conform to the same regulations as other motor vehicles, and:

   a. May only be operated on motor vehicle thoroughfares.
   
   b. May park in any legally designated space.
c. Shall not be taken inside Authority buildings since they have a gasoline tank, as this is a violation of the fire codes.
d. Shall not be parked close to doors or building exits.

10. Resident will pay for any damage to lawns and/or other Authority property caused by improperly operating or parking motorized vehicles.

11. Goods and services may not be sold or advertised in Authority parking lots (and other Authority areas).

VIII. PENALTIES FOR VIOLATIONS

A violation of the provisions of this Policy shall result in the Authority exercising one or more of the following actions:

1. A motor vehicle improperly parked, improperly registered, or operated in violation of State laws, City ordinances, or Authority parking rules is subject to issuance of a citation and will be towed at the expense of the owner.

2. **Vehicle Ticketing and Towing Process**

   Any Housing Authority personnel or resident observing illegally parked vehicles at any time should contact the Community Policing Coordinator at complaint@jchousing.org. The Coordinator will investigate the matter and proceed as follows:

   1) A written notice will be placed on the improperly parked vehicle informing the tenant and/or guest they are parked in violation of the Authority’s Motorized Vehicle Policy and House Rules. Written notice will include an orange Parking Citation Sticker placed on the driver’s side back window and a paper copy of the Parking Citation Notice placed under the driver’s side windshield wiper. Parking Citation Sticker and Notice will include relevant information about the improperly parked vehicle, including vehicle description [make, model, color], license plate number, date, time, and location, and will be cross-referenced and identified by the Citation Number. (NOTE: Placement of sticker will not interfere with vehicle operator’s view.)

   2) Vehicles parked or located in an area that in the opinion of the Coordinator creates a barrier or obstruction to an emergency vehicle, i.e., police, fire, EMS, or other service vehicle, will be ticketed and an appropriate towing vendor will be contacted immediately to remove the vehicle.
3) When a vehicle is found in an undesignated parking location, i.e., on the grass or sidewalk, or in front of a dumpster, the Coordinator will in all cases post the Parking Citation Sticker and Parking Citation Notice on the vehicle, and issue one courtesy warning. After 72 hours, if the vehicle has not been removed, a local towing service will be contacted to physically remove the vehicle from the Authority property. **NOTE:** Second and future parking violations will receive a Parking Citation Sticker and Notice and result in immediate towing.

4) Towed vehicles will be taken to a local impound yard, which is at the tow truck service’s sole discretion and **AT THE OWNER’S EXPENSE.**

5) The Coordinator is responsible for:

   (a) Numbering and recording each citation on a master log in numerical order.

   (b) Following up and filing the information at the Community Policing Division.

   (c) Information to be recorded includes make, model, color, and license plate number of said vehicle, date and time of violation, location of vehicle, and if vehicle was towed, which towing service was used.

   (d) If the illegally parked vehicle belongs to a tenant, the citation information will be placed in the tenant file.

6) **The owner of the vehicle in violation will not be notified by the Authority that their vehicle was removed from Authority property. It is the owner’s responsibility to contact the Community Policing Coordinator for information regarding their vehicle and its new location.**

3. Unregistered motorized vehicles (unregistered defined as in violation of State of Tennessee Registration law) will receive a Parking Citation Sticker and Notice on the vehicle indicating that the vehicle must be registered or removed permanently from the property within 72 hours after the notice is issued.

4. An inoperative motorized vehicle on Authority property shall be classified as a “junked motor vehicle” under the Johnson City Code, Article XIII, and Tennessee Code 55-16-104.

   a. In the event that a motorized vehicle has been classified as a “junked motor vehicle,” the vehicle’s owner will have 72 hours to remove the junked vehicle from Authority property. A Parking Citation Sticker and Notice shall be placed on the vehicle citing the violation(s) and the corrective action required.
b. At any time following the expiration of the 72-hour period, the Authority will have the motorized vehicle removed at the owner’s expense.

5. The registered owner is responsible for all towing and storage fees.

6. The presence of a correctly completed and issued Parking Citation Notice is considered to be prima facie evidence that a violation has occurred.

7. Violators are subject to penalty and/or prosecution under the appropriate State laws, City ordinances, or Authority parking rules, or may be subject to Authority disciplinary action, or both. In the case of Authority residents and/or guests, violating condition(s) of the Motorized Vehicle Policy, said violations will be treated as a violation of House Rules, which are incorporated into the resident’s lease and therefore will be treated as a lease violation.

8. Residents who do not abide by established parking rules may lose their parking privileges and be subject to administrative action.

9. Violating provisions outlined in this Policy by a resident family or guest three (3) times within a twelve (12) month period shall be considered a repeated violation of the lease and the Authority will pursue lease termination.

10. The failure of the Authority to strictly enforce any parking regulation shall not be construed as a waiver for the future enforcement of the regulation.

IX. **NOTICE**

1. Except as noted herein, whenever it shall appear that a violation of the provisions of this Policy exists, the Authority shall give, or cause to be given, notice to the registered owner (or designee) of the motorized vehicle in violation, advising that such motorized vehicle violates these provisions and directing that such motorized vehicle is to be removed from Authority property within 72 hours.

2. Such notice shall be served upon the owner of the vehicle by leaving a copy of such notice on the vehicle.