

**MARIN COUNTY SHERIFF'S OFFICE
PATROL ORDER**

CHAPTER 2 - VEHICLE CODE
PAT-02-09
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DATE
01/04/94

RECREATIONAL VEHICLE REMOVAL

POLICY

It shall be the policy of the Marin County Sheriff's Department, to assist local recreational vehicle park managers in enforcing Civil Code Section 799.20-799.59.

DEFINITIONS

Recreational Vehicle

A motor home, travel trailer, truck camper, or camping trailer, with or without motive power, designed for human habitation, emergency or other occupancy within Section 18010 H&S. Recreational "Recreational Vehicle Park" is any area or tract of land or a separate designated section within a mobile home park where two or more lots are rented or leased or held out for rent, or leased to owners or users of recreational vehicles or tents.

Defaulting Occupant

The defaulting occupant is the person who fails to pay for his or her occupancy in the park, fails to comply with reasonable rules and regulations of the park given to the resident upon registration or during the term of his or her occupancy in the park. An "occupant" is a person who has occupied a lot in the park for less than thirty (30) days.

Management

"Management" means the owner of a recreational vehicle park or his/her agent or representative authorized to act on his or her behalf in connection with matters relating to the park.

PROCEDURE

As a prerequisite to the right of management to have a defaulting occupant's recreational vehicle, which is subject of the registration agreement between the park and the occupant, removed from the lot, the management shall serve a 72-hour written notice on the occupant. This written notice must comply as outlined in Civil Code Section 799.56.

A defaulting occupant may correct his or her payment deficiency within the 72 hour period during normal business hours.

The 72 hour written notice shall be served by the management by delivering a copy to the defaulting occupant personally or to a person at least 18 years of age who is occupying the recreational vehicle located on the lot. In the latter event, a copy of the notice shall also be affixed in a conspicuous place on the recreational vehicle and shall be sent through the mail addressed to the occupant at the place where the property is located.

In the event that the defaulting occupant is incapable of removing the occupant's recreational vehicle from the park because of physical incapacity or because the recreational vehicle is not motorized and cannot be moved by the occupant's vehicle, the default shall be rectified within

72 hours. If the default is not rectified within 72 hours and the vehicle meets the definition of this section, the occupant shall be extended no less than seven (7) days to move the vehicle.

The written 72 hour notice shall state that if the defaulting occupant does not remove the recreational vehicle from the premises of the park within 72 hours after the receipt of the notice, the management has the authority, pursuant to Civil Code Section 799.58, to have the recreational vehicle removed from the lot to the nearest secured storage facility.

The management of the park shall serve the Marin County Sheriff's Department Records Division a copy of the notice. The Records Division will route the notice to the patrol watch commander for service.

If after the expiration of 72 hours the default has not been rectified, the Marin County Sheriff's Department shall remove or cause to be removed any person in the recreational vehicle. The management may then remove or cause the removal of the defaulting occupant's recreational vehicle parked on the premises of the park to the nearest secured storage facility.

The 72 hour notice of removal shall be void if the management of the park has not taken action to remove the vehicle within seven days. This shall not apply if the vehicle is defined within Section D., and is incapable of being moved.

RELATED STANDARDS:

Civil Code Sections 799.20-799.59

AFFECTED DIVISIONS:

Patrol
Communications

DATE OF REVISIONS:

By order of:



ROBERT T. DOYLE
SHERIFF

REMOVAL OF RECREATIONAL VEHICLE
FOR FAILURE TO COMPLY WITH RULES AND REGULATIONS
72 HOUR NOTICE

To: _____ and to all owners and operators of

(Description of Recreational Vehicle)

located on the premises herein referred to and commonly known as: _____

THIS IS TO NOTIFY YOU that you are a Defaulting Occupant under Civil Code Section 799.55 for failure to comply with the written rules and regulations of the park given to you upon registration.

Therefore, within 72 hours after receipt of this notice, you must remove the recreational vehicle described above or the undersigned owner or manager of the recreational vehicle park has the authority to have the recreational vehicle described above removed from the park and taken to the nearest secured storage facility pursuant to Civil Code Section 799.58.

Date: _____ Owner/Manager _____

Telephone number of Marin County Sheriff's Department: 415-479-2311.

PROOF OF SERVICE

I, THE UNDERSIGNED, BEING AT LEAST 18 YEARS OF AGE, DECLARE UNDER PENALTY OF PERJURY THAT I SERVED THE 72 HOUR NOTICE OF WHICH THIS IS A TRUE COPY TO

ON _____, 20__, I PERSONALLY DELIVERED THE NOTICE TO THE OCCUPANT OF THE ABOVE DESCRIBED RECREATIONAL VEHICLE.

Executed on _____, 20__, at _____, California.

Time: _____

Signature of Server: _____

Signature of Occupant: _____

Signature of Witness(es) (if any): _____

cc: Marin County Sheriff's Department