

ORDINANCE NO. 55

AN ORDINANCE OF THE PAUMA VALLEY COMMUNITY SERVICES DISTRICT ESTABLISHING POLICIES AND PROCEDURES FOR GATE ACCESS AND ROAD USAGE WITHIN PAUMA VALLEY COUNTRY CLUB ESTATES

WHEREAS, the Pauma Valley Community Services District (“District”) is a public agency organized under the Community Services District Law set forth in California Government Code section 61000 et seq.;

WHEREAS, under Government Code section 61100(j), the District is authorized to provide security services to protect lives and property;

WHEREAS, section 60160(a) of the California Government Code provides that community services districts, such as this District, have the power to adopt ordinances to establish policies and procedures; and

WHEREAS, with the concurrence of the Pauma Valley Roadway Association, the District provides gate access management and the monitoring and enforcement of road usage within, along with the ingress to and egress from, the Pauma Valley Country Club Estates (“PVCCE”), as depicted on the map attached as Exhibit “A”;

WHEREAS, the District has decided to separately articulate and adopt its own set of policies and procedures pertaining to PVCCE gate access and road usage; and

WHEREAS, it is the District’s desire and intent to adopt the Gate Access and Road Usage Policies and Procedures, as set forth in the attached Exhibit “B” (“Policies and Procedures”), in order to promote the orderly conduct of business in regards to gate access and road usage in PVCCE.

Now, therefore, BE IT ORDAINED BY THE BOARD OF DIRECTORS OF THE PAUMA VALLEY COMMUNITY SERVICES DISTRICT as follows:

Section 1: Policies and Procedures. The District formally establishes and adopts the Gate Access and Road Usage Policies and Procedures attached hereto as Exhibit “B”.

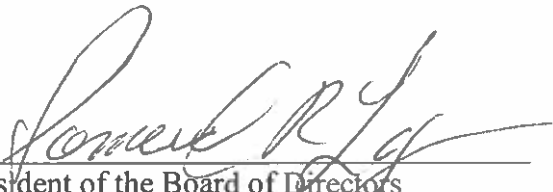
Section 2: Enforcement. The District and its employees are hereby authorized to implement enforce the rules and regulations presented in the Policies and Procedures.

Section 3: Recitals. The Recitals are incorporated herein and made an operative part of this Ordinance.

Section 4: Effective Date. This Ordinance shall become effective thirty (30) days after its adoption pursuant to California Government Code Sections 25123 and 61060(a).

This Ordinance shall be published within fifteen (15) days after its passage pursuant to California Government Code Section 25124.

ADOPTED this 28th day of June, 2021.



President of the Board of Directors

ATTEST:



Secretary of the Board of Directors

ORDINANCE NO. 55

CERTIFICATION

I, William Schultz, Secretary of the Board of Directors of Pauma Valley Community Services District, certify that the foregoing ordinance was introduced at a regular meeting of the Board of Directors on the 24th day of May, 2021 and was adopted by the Board of Directors at a regular meeting held on the 8th day of June, 2021, by the following vote of the Directors:

AYES: Logan, Esparza, Schultz, Jacobs, Cipriano

NOES:

ABSENT:

ABSTAINED:

IN WITNESS WHEREOF, I have hereunto set my hand and affixed the official seal of Pauma Valley Community Services District this 28th day of June, 2021.

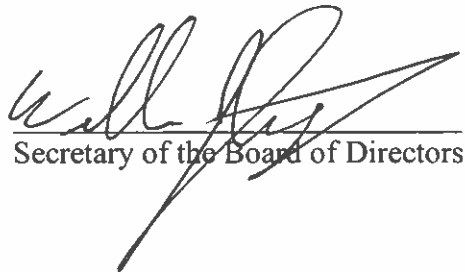

Secretary of the Board of Directors

EXHIBIT "A"

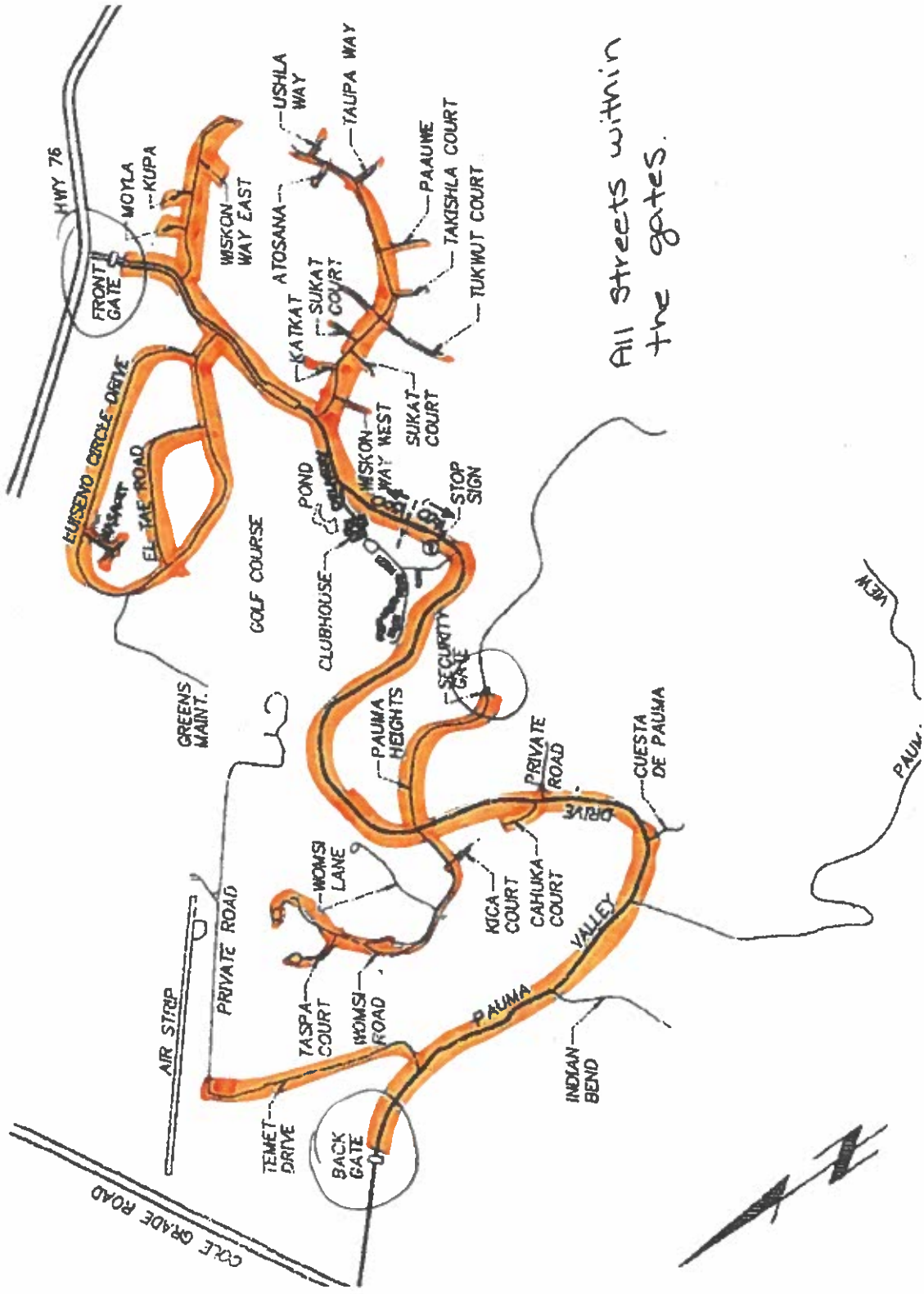



EXHIBIT "B"

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	<p style="text-align: center;">Pauma Valley Community Services District Administrative Procedures and Rules</p>	<p>Adoption Date: 6/28/2021</p>
<p style="text-align: center;">GATE ACCESS & ROAD USAGE POLICIES AND PROCEDURES</p>		<p>Amended Date:</p>

ARTICLE 1 GENERAL PROVISIONS

- I. Introduction: Under its statutory authority, the Pauma Valley Community Services District (“PVCSD” or “District”) is authorized to provide a variety of services, including gate access management, security patrol services, and monitoring and enforcing road usage, including ingress to and egress from the Pauma Valley Country Club Estates (“PVCCE”). (See map attached as Exhibit “A”.) It is PVCSD’s intent to establish policy and procedures that will be convenient for the public and contribute to the orderly conduct of business in regards to gate access and road usage.

- II. Purpose: The purpose of these Gate Access and Road Usage Policies and Procedures is to set forth certain policies and procedures by which the functions of the District are carried out. Other District procedures related to gate access and road usage may be set forth in specific rules, regulations, resolutions, or policies of the District, whether or not included as part of this document.

- III. Definitions: Except as otherwise provided in specific sections of these Policies and Procedures, the following words shall have the following meanings:
 - a. Commercial Activity means conduct that requires a Use Permit. Commercial activity includes long-term rentals of Resident properties and the ongoing activities and events and of PVCC.
 - b. “Gate Attendant” means a person employed by PVCSD that works at a gatehouse.
 - c. Main Gate means the entrance to PVCCE on Highway 76.
 - d. Not in Good Standing means a person having delinquent dues or fees owed to the District. Those persons who do not meet the definition of “Not In Good Standing” shall be deemed in “Good Standing”.
 - e. NOV means a Notice of Violation issued by a Security Patrol Officer.
 - f. Pass means an official PVCSD document, displayed on the dashboard of the vehicle, that grants access within the gates of PVCCE for a specific period of time.
 - g. PVCC means Pauma Valley Country Club.
 - h. PVCCE means Pauma Valley Country Club Estates.

- i. PVCSD or District means the Pauma Valley Community Services District.
- j. Resident means a PVCCE homeowner or individuals authorized to reside in or live on a homeowner's property.
- k. RFID Transponder means a Radio Frequency ID tag for gate access issued by PVCSD.
- l. Roadway means the PVCCE roads and streets depicted on Exhibit A.
- m. Security Patrol Officer means an employee of PVCSD or its designee, authorized to affect the safety and security of property and persons within the PVCSD service area.
- n. Service Persons means those individuals or entities providing commercial or personal services to Residents or Guests of PVCCE, PVCSD, or PVCC.
- o. Signage means any printed information placed or posted on any Roadway, adjacent areas or curbs.
- p. Street Parking refers to vehicles, dumpsters, or equipment parked on any Roadway.
- q. Street Legal refers to vehicles with current licenses and registration documentation.
- r. Use Permit means a permit or license that is required to be issued by an authority having jurisdiction, prior to the commencement of activity that requires such permit or license.
- s. Written Authorization means a properly displayed printed pass or letter from PVCSD.

ARTICLE 2 RESPONSIBILITIES

- I. Enforcement: PVCSD and its approved employees are authorized to enforce the rules and regulations presented in these Policies and Procedures.
- II. Gate Attendants: PVCSD shall provide Gate Attendants at the Main Gate to monitor alarm events, to take incoming calls, to monitor police and emergency radio traffic, and to provide visitor management to control ingress into PVCCE in accordance with the principles and specifics herein.
- III. Security Patrol Officers: PVCSD shall provide Security Patrol Officers, with vehicles, to patrol its areas of responsibility (including PVCCE), to respond to Gatehouse dispatched events, to provide emergency assistance to PVCCE residents and guests, to monitor use of the PVCCE Roadway, and to issue NOV's in the event contraventions of the principles and specifics herein
- IV. Passes: PVCSD shall provide for the issuance of "Passes", as described herein, to those entitled to receive them, upon presentation of necessary documents. Individuals seeking an RFID tag or designation as a recognized contractor at a gatehouse will be referred to the PVCSD office.
 - a. Visitor Passes: PVCSD shall be responsible for the supply of "Visitor Passes".
- V. Gatehouse Equipment: PVCSD shall be responsible for maintaining gatehouse equipment, inclusive of rolling gates, barrier arms, and all control systems required for their proper operation.

ARTICLE 3 ROADWAY USAGE WITHIN PVCCE

- I. Drivers: Drivers of vehicles, except golf carts, must hold a valid driver's license, registration and proof of insurance. Individuals under the age of 16 driving a golf cart within PVCCE must be accompanied by an adult.
- II. Recreational Activities: No part of any Roadway shall be used for recreational activities which present a potential safety hazard, as reasonably determined by PVCSD.
- III. Speed Limits/Traffic Control Signs: Drivers of vehicles on any Roadway must obey posted speed limits and other traffic control signs.
- IV. Conformity: Drivers and their vehicles must conform to the California Vehicle Code and to these PVCSD Gate Access & Road Usage Policies and Procedures.
- V. Authorized Vehicles: Excluding golf carts, vehicles that are not Street Legal in California, such as motorized skateboards and motorized dirt bikes, shall not be permitted access to, or use of, any Roadway.

ARTICLE 4 STREET PARKING

- I. Written Authorization: There shall be no Street Parking on any Roadway of vehicles, dumpsters, or equipment without PVCSD issued Written Authorization, displayed on the dashboard of the vehicle or on said equipment. Without PVCSD issued Written Authorization, recreational vehicles, campers, trailers dumpsters, and trucks shall not park on any Roadway for a period exceeding 48 hours.
- II. Vehicle Parking: Vehicles may not park on any Roadway for a period exceeding 7 days in any consecutive 30-day period.
- III. Overnight Parking: There shall be no overnight parking on Pauma Valley Drive.

ARTICLE 5 GATE ACCESS

- I. Policy Inquiries: Inquiries regarding Gate Access policies and RFID transponders, shall be directed to the PVCSD offices or website at www.paumavalleycsd.com.
- II. Gate Attendants and Security Officers: Gate Attendants and Security Officers are authorized to request drivers' licenses, vehicle registration and insurance information of those seeking gate access.
- III. Good Standing status: Individuals who are Not in Good Standing with PVCSD may not be permitted to obtain and/or utilize RFID transponders. Said individuals must request a Guest Pass until their Good Standing status is restored.

ARTICLE 6 SIGNAGE

- I. Permission: Without written approval of PVCSD, Signage is not permitted on or adjacent to medians, any Roadway or PVCCE access gates.

ARTICLE 7 PASSES

- I. Gate Access Passes: Gate access passes (aka Passes) can be electronically or manually generated and will be either a Guest Pass or a Service Pass. Those wishing to enter PVCCE without an RFID transponder or without a pass must register with a Gate Attendant. Individuals generating an electronic pass on their own computer may enter through the Rear Gate (using the Pass scanner) or through the GUEST LANE of the Main Gate, where their pass will be scanned. Categories of passes include:
 - a. An Electronic Pass is one generated through an authorized individual's account in the gate access system. It can also be created by a Gate Attendant thus enabling the individual named on such pass to retrieve, print and utilize it. Individuals authorized to create an "electronic pass" can do so only if said individual has no payment delinquencies. A pass is valid only for the date(s) indicated.
 - b. A Guest Pass, generated by a Gate Attendant, is for a guest of an authorized individual and is used only if the authorizing individual has advised the attendant of the guest's arrival, or responds to the attendant's phone call inquiring about the guest seeking entrance. Such a pass is valid for use by the party named on the pass and only for the date indicated.
 - c. A Service Pass, generated by a Gate Attendant, is for a Service Person of an authorized individual and is issued only if the authorized individual has advised the attendant of the Service Person's arrival, or responds to the attendant's phone call inquiring about an individual seeking entrance. Such a pass is valid only for the party named on the pass and only for the date indicated.
- II. Valid Driver's License: An individual wishing to utilize a pass to enter PVCCE may be asked to provide a valid driver's license and proof of insurance.
- III. Visibility: Passes must be clearly visible/readable on the vehicle's dashboard.
- IV. Gardeners/Service Persons/Contractors: Without authorization by PVCSD, Service Persons, including gardeners or contractors, will not be permitted to enter PVCCE before 7:00 A.M. Monday through Saturday, or remain after 6:00 P.M. on week-days and 2:00 P.M. on Saturday. There will be no admittance on Sunday or on major holidays identified as New Year's Day, Memorial Day, Independence Day, Labor Day, Thanksgiving Day and Christmas Day. When an above-noted holiday occurs on a weekend, the day of observance shall be treated as the holiday. Emergency situations are considered exceptions to the above-noted rules.

ARTICLE 8 VISITORS

- I. Notification: Residents, agents, PVCC members and PVCC staff must notify a Gate Attendant of the name and arrival time of a visitor requiring a Pass. In the absence of such notification, no individual will be admitted unless the Gate Attendant is immediately able to contact the individual requesting the admission.
- II. Guest Pass: Upon approved access, the Gate Attendant will issue a Guest Pass valid for up to seven (7) days, and will record appropriate information thereon. A Guest Pass may be authorized for a period longer than seven days. When issued, all Passes are specific to the individual originally authorized when the pass was issued.

ARTICLE 9 REAL ESTATE ACTIVITY

- I. Real Estate Agents/Brokers/Appraisers: Real estate agents, brokers and appraisers who are not Residents or PVCC members will be issued a Guest Pass at the Main Gate after presenting identification and indicating the property to be visited. Individuals inquiring about real estate within PVCCE will not be admitted unless accompanied by a real estate agent, broker or appraiser.
- II. Open House: A Resident, agent or real estate sales person must notify a Gate Attendant of the name and arrival time of visitors requiring a Pass for Roadway usage. Absent such notification, the visitor will not be admitted. A Resident, agent or real estate sales person must abide by the Signage restrictions of PVCSD. OPEN HOUSE signage shall not be permitted adjacent to PVCCE access gates or on any portion of the Roadway.

ARTICLE 10 PROPERTY USE PERMITS

- I. Commercial Activity: Gate Attendants shall not admit any person, and Security Officers shall not permit any person to use any Roadway to access a property for Commercial Activity unless all necessary Use Permits have been obtained and are available for inspection.
- II. Applicable Permits: Each Resident shall be responsible for obtaining applicable Use Permits.
- III. Estate Sales/Garage Sales/Yard Sales: Residents planning to engage in estate sales, garage sales or yard sales, where participation is invited from individuals not residing within PVCCE, must apply to PVCSD for a Use Permit.
- IV. Visitor Notification: A Resident or agent must notify a Gate Attendant of the name and arrival time of any visitor who will require a Pass for Roadway usage. Individuals requesting admittance to attend a permitted activity must be on an approved list and will be issued a Pass good for one day only and for the single destination indicated on the Pass.

ARTICLE 11 UNATTENDED GATES

- I. Access: Access at unmanned gates will be enabled by RFID transponders or by direct communication with the Gate Attendant at the Main Gate. Unmanned gates are equipped with video and two-way voice communication. Vehicles attempting access at an unmanned gate without an RFID transponder or an electronic PASS will not be admitted and must present themselves to the Main Gate.

ARTICLE 12 EMERGENCY

- I. Emergency Vehicles: California Highway Patrol, San Diego County Sheriff, Cal Fire, EMTs, ambulance service, and similar vehicles shall receive immediate access at any gate.

ARTICLE 13 VIOLATIONS

- I. Notices of Violation:
 - a. NOV: A Notice of Violation is a citation issued by a PVCSD Security Officer for infractions to the Gate Access & Road Usage Policy and Procedures. The cause of the violation shall be set forth in writing and mailed or otherwise personally provided to the individual cited in the NOV. Property owners will be held responsible for the actions of their guests, visitors, tenants, Service Persons and family members and will be responsible for penalty assessments associated with their actions.
 - b. Appeals: Those issued an NOV may appeal the grounds for or the penalties associated with the violation to the CSD General Manager within thirty (30) days of the issuance date of the NOV. The General Manager shall review the evidence, including any input received from the appellant, and issue a written decision on the appeal, and send a copy of the decision to the appellant. The General Manager’s decision may be appealed to the PVCSD Board of Directors within 30 days of the date of the General Manager’s written determination. The PVCSD Board of Directors shall consider the matter during an open session, after providing at least 10 calendar days’ written notice of the meeting to the appellant. The appellant shall be entitled to present evidence at the PVCSD Board meeting. The Board’s decision on the matter, which may be accompanied by written findings or findings described in the Board meeting minutes, shall be conclusive of the appeal.

II. Notice of Violations: NOV offenses include:

- a. tailgating through gate access barrier arms;
- b. barrier arm contact and/or damage;
- c. illegal parking on any Roadway;
- d. Pass violations;
- e. illegal ingress to or egress from PVCCE;
- f. STOP sign violations;
- g. speeding violations
- h. unsafe vehicle operation.

III. Penalties. For any violation of this Ordinance, the PVCSD may assess monetary penalties or revoke access to the gates, or both, as follows:

- a. Monetary penalty: Monetary penalty assessments for violations of this Ordinance shall be as follows. The PVCSD Board of Directors may modify the following amounts, by resolution, as the Board deems advisable.
 - i. 1st offense = Warning;
 - ii. 2nd offense = \$100;
 - iii. 3rd of more offenses = \$300.
- b. Revocation of Gate Access Privileges. For any violation of this Ordinance, the PVCSD may revoke or suspend PVCCE gate access privileges for anyone other than Residents seeking access to their residence or to PVCC, or a PVCC member seeking access to PVCC.

IV. Damages: Damages to the PVCCE gate access system will be billed to the party responsible for said damage on an at-cost (plus labor) basis. Failure to pay any such damages, or any unpaid monetary assessment, may warrant PVCSD's application to a court of law or to the County Tax Collector's office for collection, which PVCSD staff is authorized to pursue at its discretion.

EXHIBIT "A"
MAP OF PAUMA VALLEY COUNTRY CLUB ESTATES

