

**BEXAR COUNTY HIGHLANDS RANCH HOMEOWNERS ASSOCIATION, INC.**

**POLICY ON VEHICLE USE OF STREETS**

STATE OF TEXAS           §  
  §  
COUNTY OF BEXAR       §

**A. RECITALS**

1. WHEREAS, the Board of Directors (“Board”) of Bexar County Highlands Ranch Association, Inc. (“HOA”) adopted a rule many years ago setting the speed limit for drivers on the streets of the HOA at a maximum of 30 miles per hour (which the Board can from time to time review and change at their discretion);
2. WHEREAS, continuous speeding by some HOA members and others (some going over 50 miles per hour) and has been a safety issue of concern to the Board and to many of the HOA members for many years;
3. WHEREAS, the Board has implemented a number of measures over the years to encourage individuals not to exceed the speed limit, such as adding speed humps and digital speed signs, which have helped but not stopped the violations by some individuals;
4. WHEREAS, vehicles moving at excessive speeds is dangerous to individuals walking on the streets, to such things as mailboxes (a number of which have been destroyed--some more than once), to animals (some of which have been hit), and to other vehicles;
5. WHEREAS, the Board has the authority under Article IX, Section 3, “Entry Gates, Streets and Security,” of the Declaration of Covenants, Conditions and Restrictions of Highlands Ranch Units 4 Through 6 Planned Unit Development (“DCCR”) to make rules governing access to the subdivision and the use of subdivision streets;
6. NOW, therefore, the Board adopts the following policy as an additional effort to make the use of the subdivision’s streets safer.

**B. POLICY**

1. This Policy shall apply to each HOA owner/member of property within the Highlands Ranch subdivision as well as non-residents utilizing Highlands Ranch Roadways and will be subject to penalties for violations as per Section B.8 of this Policy. Owners/members shall not be penalized or held responsible for speeding violations committed by non-residents under this Policy. This in no way negates owner/member responsibility for non-resident damage to Common Areas or Common Facilities as described under DCCR Article III, Section 27.
2. Speeding violations shall be determined by the Board using properly calibrated third party camera equipment which can accurately identify vehicle speed, location, time of day, and license plate information. Other verifiable means may be adopted by the Board as needed.

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3. The HOA's Enforcement Policy (i.e., relating to violations of provisions of the DCCR, Bylaws, and Board policies) requires that the responsible party (see paragraph B.1 above) be sent by certified mail a Notice of Enforcement Action (including an opportunity for a hearing before the Board) that sets forth the details of the violation. The Board has determined that each speeding violation is an incurable violation, in that it is not possible for the violator to cure the violation once it occurs.
4. Per DCCR Article IX and the Board's Enforcement Policy, if an owner/member requests a hearing before the Board, (a) the owner/member must, by written request, ask for a hearing within thirty (30) days after the date of the Notice sent to owner/member, (b) the hearing date shall be set not later than the 30<sup>th</sup> day after the Board receives the hearing request, and (c) the Board shall notify the owner/member no later than the 10<sup>th</sup> day before the hearing date of the date, time and place of the hearing and shall provide them with a package of information containing all documents, photographs and communications relating to the matter that the Board intends to introduce at such hearing. Within ten (10) days after the hearing has been conducted, the Board shall inform the owner/member of its final decision regarding the violation. Enforcement of penalties will begin on the first day of the month following the date of notification of the Board's final decision.
5. If the owner/member does not request a hearing before the Board within the time period set forth in the Enforcement Policy, then the suspension of owner/member privileges shall be enforced on the first day of the month following the date of notification by certified mail.
6. For non-resident violators, the Board may, at its sole discretion (after considering B.7 below), grant such violators a hearing like that stated in B.4. If a hearing is not requested, penalties shall be administered as per B.5.
7. Notwithstanding the foregoing, the Board shall have the authority to waive or adjust the suspension of privileges based on circumstances. For example, if the owner/member or non-resident is engaged in a medical, police, or fire emergency, any otherwise appropriate penalty may be waived or adjusted at the Board's discretion.
8. The schedule of penalties for each traffic violation on HOA streets shall be as follows:
  - First notice for speeds over 45 MPH (after three recorded/validated violations during rolling six month period) – Warning notice only, no suspension of privileges. Notice includes warning that gate transponder privileges (Highlands Ranch residents) or vehicle access (non-residents) will be suspended with the next violation over 45 MPH within the rolling six month period.
  - Second and subsequent notices within a rolling six month period – all gate transponder privileges associated with that owner/member residence will be suspended for 30 days. Vehicle access for non-residents will be suspended for 30 days (vehicle information will be forwarded to security company to deny gate access) unless dismissed by the Board per the Enforcement policy (see paragraph B.7 above).
  - Speeds +55 MPH – Immediate 30 day suspension (no warning notices) of all gate transponder privileges associated with that residence (Highlands Ranch residents) or vehicle access (non-residents). Violators can appeal the violation (see paragraphs B.4 and B.6 above).

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- All notifications for prior month violations will be sent to vehicle owners via certified mail on the first day of the following month.
- If there is no appeal (see paragraph B.5 above), penalties will begin on the 1<sup>st</sup> day of the month following the date of notification by certified mail.
- If there is an appeal (see paragraph B.4 above), penalties will begin on the 1<sup>st</sup> day of the month following the date of the Board’s certified mail notification of their final decision to uphold the violation. Violations will continue to be recorded and applied against cumulative total during appeal process.

**C. CERTIFICATION**

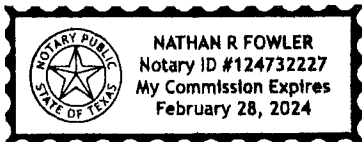
I hereby certify that, as President of the Board of Directors of Bexar County Highlands Ranch Homeowners Association, Inc., the foregoing Policy was adopted by majority vote of the Board of the HOA on the 15 day of February, 2024, at a meeting of said Board at which a quorum was present, to be effective upon this Policy being recorded in the Official Public Records of Bexar County, Texas.

  
Jo Ann Browne, President

STATE OF TEXAS       §  
                                  §  
COUNTY OF BEXAR   §

Before me, the undersigned notary public, on this day personally appeared Jo Ann Browne, President of the Board of Directors of Bexar County Highlands Ranch Homeowners Association, Inc., known to me or proved to me by presentation to me of a governmentally-issued identification card to be the person whose name is subscribed to the foregoing instrument, and acknowledged to me that they executed it for the purposes and consideration expressed in it.

Given under my hand and seal of office the 26<sup>th</sup> day of February, 2024.



  
Notary Public, State of Texas

**AFTER RECORDING RETURN TO:**  
Bexar County Highlands Ranch Homeowners Association, Inc.  
C/o Diamond Management Association & Consulting  
14603 Huebner Rd., Bldg. 40  
San Antonio, TX 78230

**File Information**

**eFILED IN THE OFFICIAL PUBLIC eRECORDS OF BEXAR COUNTY  
LUCY ADAME-CLARK, BEXAR COUNTY CLERK**

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Any provision herein which restricts the sale or use of the described real property because of race is invalid and unenforceable under Federal law

STATE OF TEXAS, COUNTY OF BEXAR

I hereby Certify that this instrument was eFILED in File Number Sequence on this date and at the time stamped hereon by me and was duly eRECORDED in the Official Public Record of Bexar County, Texas on: 2/28/2024 8:13 AM



*Lucy Adame-Clark*  
Lucy Adame-Clark  
Bexar County Clerk