



SILVERLAKES

COMMUNITY ASSOCIATION, INC.

February 11, 2020

Dear Residents:

As you are aware, the Association is required to enforce no street parking rules as a result of the application of the State Fire Code and to avoid the imposition of significant fines. A copy of the Rules and Regulations relating to parking are attached for your review. This was not an easy decision, as each member of the Board of Directors resides in SilverLakes and understands the difficulty and burden that such rules place on each of us. Nonetheless, the Board believed it was legally compelled to institute the attached rules. In October 2019, the Association began an educational campaign to inform our residents that on-street parking was prohibited. This campaign consisted of various mailings, website postings, newsletters, and the placement of cards on every vehicle parked on the roadway. Further information can be found at www.silverlakes.net.

When this educational campaign began we identified 2900 vehicles illegally parked on the roadway during the first week. Yet in just a few months, only 117 illegally parked vehicles were identified and cited during the first week in January. This tremendous improvement is a direct result of the incredible efforts of our residents. The Board of Directors wants to thank each one of you for assisting in making the implementation of these difficult rules successful. We are mindful that we are all in this together and the success of any endeavor undertaken by the Association is a direct result of the wonderful people who reside in SilverLakes.

As the educational period ends and we move into the next phase, we wanted to take this opportunity to provide each of you updated information. Yes, street parking is still prohibited within SilverLakes. However, before writing up a violation, Security will make a *reasonable* attempt to contact any person or entity who leaves a note in the vehicle providing the name, address and telephone number of the person who can immediately remove the vehicle from the street.

Security is not required to contact any person or entity in the following instances: dangerous parking, overnight parking, emergency, or if the owner fails to leave contact information in the windshield of their vehicle. It is the obligation of each owner to inform their guests of this requirement. Dangerous conditions shall be considered but are not limited to the following: parking across from another car in the street; parking in front of a mailbox; blocking a fire hydrant; parking within 20 feet of a stop sign; parking on a double yellow line; parking on a curve. Be advised, leaving a note does not ensure a violation or citation will not be issued as street parking is prohibited.

The SilverLakes Board of Directors has not and will not approve any Booting or Immobilization action on any vehicle parked on SilverLakes Community Association roads.

Effective March 1, 2020, a violation of the Parking Rules may result in enforcement as follows:

- The first three parking violations (either by vehicle or address) will result in the placement of a ticket and/or sticker on the vehicle informing of the violation. No monetary sanction will be imposed.
- The fourth parking violation (either by vehicle or address) will result in the placement of a ticket and/or sticker on the vehicle informing of the violation. A \$50.00 fine, plus the current costs associated with vehicle tag search, will be imposed against the property Owner.
- The Fifth and each subsequent violation issued (either by vehicle or address) within a 6-month period, will result in the placement of a ticket and/or sticker on the vehicle informing of the violation. A \$100.00 fine will be imposed against the property Owner for each violation, up to the statutory maximum.

A non-sticking ticket will be utilized during the hours of 7:00 am and 11:00 pm. A sticker and/or sticking ticket may be utilized from 11:00pm to 7:00am. The information contained on each will be identical. Security will photograph each vehicle subject to a parking violation and prepare a report containing the tag number, vehicle description, and approximate location of the vehicle. The reports will be forwarded to Pines Property Management for enforcement action.

- All fines will be subject to notice and an opportunity for a hearing before the fining committee.
- Notwithstanding the foregoing, nothing herein shall restrict your local police department from issuing a citation.
- Police, Fire and Emergency vehicles are exempt from the on-street parking prohibition, per State Statute.
- Parking on the swale, grass, sidewalk or lawn continues to be strictly prohibited.

Please remember security's primary objective is the safety and security of the community.

In addition to the foregoing, the Board is continuing to seek ways to ease the ongoing parking issue. Among several of the options the Board is exploring as ways to assist the Sub-Associations with the parking issue are:

- Revisions and/or amendments related to guest/overflow parking regulations.
- Revisions to acceptable dimensions and shape of driveways.

The parking situation has been an ongoing problem for many years and the Board will continue to closely monitor the situation. We will continue to advise you of our progress and any changes being implemented. It is only through your ongoing commitment and the joint effort of our neighbors that we will be successful. Thank you for your continued help!

Regards,

Board of Directors
SilverLakes Community Association, Inc.

SILVERLAKES PARKING ENFORCEMENT RULES 2019

I. PARKING ON LAWNS AND/OR SWALES IS PROHIBITED

- Off-pavement parking damages the grass, resulting in an unsightly appearance that detracts from our neighborhoods and impacts property values and community pride.
- A violation of this rule shall constitute a violation of the rules and regulations, and shall be subject to the imposition of fines as set forth in the declaration. Please note that further fines and charges may be added at the Boards discretion for damage caused to swales and/or lawns.

II. ON-STREET PARKING IS PROHIBITED

- On May 21, 2019, The City of Miramar Fire Department, through the City Attorney, advised that as a **matter of law** all Silverlakes roadways were required to remain clear of obstructions, including but not limited to, parked or standing vehicles.
- Specifically, the Fire Department advised that Section 18.2.3.4.1.1 of the State Fire Code provides that fire department access roads which consist of roadways, fire lanes, parking lot lanes, and/or a combination thereof shall “have an unobstructed width of not less than 20 ft. The roads within Silverlakes are designed in a manner that the parking of any type of vehicle on the roadway creates a width less than the legal minimum. The State Fire Code is applicable in Both Miramar and Pembroke Pines. Failure to comply may result in the issuance of citations and substantial fine. As such, on Street parking is strictly prohibited.
- Residents shall utilize garages driveways, and/or designated guest parking to park their vehicles and those of their guests ONLY. No street parking shall be permitted at any time.
- A violation of this rule shall constitute a violation of the rules and regulations and shall be subject to the immediate imposition of fines as determined by the Board of Directors from time to time.

III. CITY TRAFFIC/PARKING ORDINANCE

- All vehicles will be parked in accordance with applicable city ordinance. And all city traffic ordinances shall always be obeyed.

IV. ENFORCEMENT

- Vehicle Removal. The Board of Directors shall have the authority to have any vehicle not in compliance with the provisions of these Guidelines removed from the Association Property. This authority may be delegated to the Board of Directors of any Sub-Association, the Management Agent of the Association, and/or other individual(s) designated by the Board of Directors. All costs and risks of towing and impoundment shall be the sole responsibility of the vehicle's owner.
- The Board of Directors hereby delegates to the Board of Directors of the sub-associations the authority to tow vehicles parked on Silverlakes property and within the confines of any Sub-Association the Authority to tow said vehicle. The delegation can be removed by the Board of Directors at any time in its sole discretion.
- Violation may be Subject to Immediate Action. Any vehicle (a) parked on the street, (b) parked in a designated fire lane, (b) sidewalk, (c) impeding access to sidewalk ramps or mailboxes, (d) extending into street, (e) constituting a safety hazard, (f) whose security system has been triggered and left unattended for more than fifteen (15) minutes, may be subject to immediate removal without notification to the owner of the vehicle.
- The Association reserves the right to exercise all other powers and remedies provided by the Association's governing documents and/or applicable laws.
- The Board reserves the right and power to impose fines for violations of this parking policy. A violation of the Parking Enforcement Rules shall constitute a violation of the rules and regulations and shall be subject to the immediate imposition of fines as determined by the Board of Directors from time to time.
- Attorney's Fees and Costs. If the Association must enforce these Rules through any form of legal action, the offending Owner shall be responsible for all expense and/or attorneys' fees incurred by the Association in enforcing the provisions of these Parking Rules.
- Fines issued by the City/State chargeable against individual owners. Any fine or citation issued by the city and or state to the Association as a result of any action and/or inaction of a unit owner, resident, tenant, guest , and/or invitee shall be paid by the owner of the property who owns the vehicle causing said citation or fine and or the owner of the property whose tenant, resident, guest and/or invitee causes the issuance of the citation and or fine. Said amounts shall constitute a special assessment against the

property and may be foreclosed in the manner set forth under applicable law.

- The Association may execute a traffic enforcement agreement with the applicable governmental authority for the enforcement of city ordinances within the Association, including but not limited to parking ordinances.

V. LIABILITY.

- The Association assumes no responsibility for and disclaims responsibility for any damage to any vehicle parked or operated in the community.
- Homeowners shall be held liable for any expenses incurred by the Association as a result of any fines imposed by any governmental authority, any damage done to the common areas by the use, repair or maintenance of their vehicle, or as a result of negligence, whether on the part of the homeowner, his family, tenants, guests, agents, and/or invitees.

VI. REPEAL OF PRIOR POLICIES

- The rules and regulations set forth in these Parking Enforcement Rules policy supersede and replace all rules and regulations set forth in any prior parking policy.

VII. EFFECTIVE DATE

- The rules and regulations set forth herein are effective as of **OCTOBER 15, 2019.**