

# SILVERLAKES

COMMUNITY ASSOCIATION, INC.

November 13, 2020

Dear SilverLakes Residents:

We hope this communication finds you and your families are doing well.

A consistent topic of discussion at the SilverLakes Leadership and Board of Directors meetings has been the misuse of the neighborhood Overflow Parking Spaces. It has been expressed that these spots are not being used as intended. Overflow parking spaces are designed to accommodate you and your visitors with short term parking options, and to provide space for vehicles that need to be off the roadway.

Unfortunately, indications suggest that the overflow parking is being used as permanent parking/storage of seldom used vehicles or as extensions of driveways close to those areas.

Our goal is to ensure and enforce the use of the Overflow Parking Spaces and to make sure they are utilized equitably and as intended, therefore, we are reaching out to you to remind you of the existing SilverLakes regulations governing those areas.

At the October 19, 2020 Board of Directors Meeting, the Board discussed and voted to revive and enforce the language in the Silverlakes Declaration, as it relates to the use of and storage of vehicles in the common elements.

More specifically, this relates to the enforcement of Article XII, Use Restrictions, Section 2 (c) ii - Vehicle Restrictions and iii - Towing. The existing language in the declaration has been added to the updated rules and regulations attached for your reference. (see attachment- SilverLakes Parking Enforcement Rules – 2020)

These restrictions have always been in place. However, the enforcement of these rules, as it relates to the use of the overflow parking areas within each sub-association, was delegated to the neighborhoods.

In an effort to aid with the equitable enforcement of the use of the parking areas, the SilverLakes Board discussed and approved the use of the security services to aid in enforcing the use restrictions as outlined in the governing documents and attached rules and regulations.

Please note that enforcement will commence immediately, and actions such as fining, towing, or any measures granted to the Association for the purposes of ensuring compliance will begin effective January 1, 2021. It is recommended that you ensure any vehicles parked in any SilverLakes common elements, including the overflow parking areas within each sub-association, are in compliance with Section III of the attached rules and regulations, and the SilverLakes governing documents.

Additionally, as a reminder, in accordance with Section II in the attached rules and regulations, on-street parking is strictly prohibited at any time. Any vehicles parked on the Silverlakes roadways are subject to citations, fines, and/or removal at the discretion of the Board of Directors. **The citations and supporting reports provided by security shall serve as notice of violation.**

Regards,

SilverLakes Board of Directors

# SILVERLAKES PARKING ENFORCEMENT RULES - 2020

## **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. USE OF OVERFLOW PARKING AREAS**

- Parking in the Overflow areas shall be restricted to private automobiles and passenger-type vans.
- No owner shall conduct, or permit to be conducted, repairs.
- Vehicles which are either obviously inoperable or do not have current operating licenses shall not be permitted at any time.
- Commercial vehicles, vehicles with commercial writing, vehicles primarily used or designed for commercial purposes, tractors, mobile homes, motorhomes, recreational vehicles, trailers (either with or without wheels), campers, camper trailers, motorcycles, mopeds, horse trailers,

golf carts, boats and other watercraft, and boat trailers are not permitted in Overflow Parking 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.
- Vehicles in violation are subject to immediate removal. Removal of any vehicle in violation shall be in accordance with the Enforcement portion of these rules and regulations.

#### **IV. CITY TRAFFIC/PARKING ORDINANCE**

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

#### **V. 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.
- **Attorneys' 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.

## **VI. 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.

## **VII. 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.
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## **VIII. EFFECTIVE DATE**

- The rules and regulations set forth herein are effective as of **JANUARY 1, 2021.**