

**The Preserve at South Branch Community Development District**  
**Policy Relating to Parking and Towing Enforcement**

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In accordance with Chapter 190, *Florida Statutes*, and on November 7, 2023, at a duly noticed public meeting, the Board of Supervisors of the Preserve at South Branch Community Development District (the “District”) adopted the following policy to govern parking and parking enforcement on certain District property. This policy repeals and supersedes all prior rules and/or policies governing the same subject matter.

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**SECTION 1. INTRODUCTION.** The District finds that parked Commercial Vehicles, Vehicles, Vessels and Recreational Vehicles (hereinafter defined) on certain of its property Overnight (hereinafter defined) cause hazards and danger to the health, safety and welfare of District residents and the public. This policy is intended to provide the District with means to remove Commercial Vehicles, Vehicles, Vessels and Recreational Vehicles from District designated Tow-Away Zones consistent with this Policy as indicated on **Exhibit A** attached. This Policy authorizes parking in designated areas, which areas are identified in **Exhibit B** attached hereto.

**SECTION 2. DEFINITIONS.**

- A. *Commercial Vehicle.* Any mobile item which normally uses wheels, whether motorized or not, that (i) is titled, registered or leased to a company and not an individual person, or (ii) is used for business purposes even if titled, registered or leased to an individual person.
- B. *Vehicle.* Any mobile item which normally uses wheels, whether motorized or not.
- C. *Vessel.* every description of watercraft, barge, and airboat used or capable of being used as a means of transportation on water.
- D. *Recreational Vehicle.* A vehicle designed for recreational use, which includes motor homes, campers and trailers relative to same.
- E. *Parked.* A Commercial Vehicle, Vehicle, Vessel or Recreational Vehicle left unattended by its owner or user.
- F. *Tow-Away Zone.* District property in which parking is prohibited and in which the District is authorized to initiate a towing and/or removal action.
- G. *Overnight.* Between the hours of 10:00 p.m. and 5:00 a.m. daily.

**SECTION 3. DESIGNATED PARKING AREAS.** Those areas within the District's boundaries as depicted by red lines in **Exhibit A**, which is incorporated herein by reference, are hereby established as "Tow-Away Zones" during Overnight hours for all Commercial Vehicles, Vehicles, Vessels and Recreational Vehicles, as set forth in Sections 4 and 5 herein ("Tow-Away Zone"). Commercial Vehicles, Vehicles, Vessels and Recreational Vehicles may not be parked on the street. Commercial Vehicles, Vessels and Recreational Vehicles may not be parked Overnight on District property. Vehicles may be parked Overnight on District property in designated parking spaces, only as indicated by blue lines on **Exhibit B**, attached hereto ("Overnight Parking Areas") and with a pre-approved permit as set forth in this Policy.

Any Vehicle parked on District property, including District roads, must do so in compliance with all laws, ordinances and codes.

**SECTION 4. ESTABLISHMENT OF TOW-AWAY ZONES.** Each area set forth in **Exhibit A** attached hereto is hereby declared a Tow-Away Zone.

**SECTION 5. EXCEPTIONS.**

A. OVERNIGHT PARKING PERMITS. Residents may apply for an "Overnight Parking Permit" which will allow such Resident and/or Guest to park a Vehicle in the Overnight Parking Areas after-hours and Overnight. Overnight Parking Permit requests will be granted in accordance with the following:

1. Permits may not exceed seven (7) consecutive days. In no event may an Overnight Parking Permit be granted for more than fourteen (14) nights per year for one Vehicle, as identified by the Vehicle's license plate number.
2. Residents interested in an Overnight Parking Permit may submit a request electronically to the District Manager or her/his designee which includes the following information:
  - i. The name, address and contact information of the owner of the Vehicle to which the Overnight Parking Permit will be granted;
  - ii. The make/model and license plate of the Vehicle to which the Overnight Parking Permit will apply;
  - iii. The reason and special terms (if any) for the Overnight Parking Permit; and
  - iv. The date and time of the expiration of the requested Overnight Parking Permit.

It is the responsibility of the Resident(s) requesting an Overnight Parking Permit to secure all necessary documentation and approvals. Failure to secure all necessary documentation and approvals will result in the towing and/or removal of the Vehicle from the District's property. Improperly permitted Vehicles parked in the Tow-Away Zones will be subject to towing.

3. Upon receipt of the requested documentation as set forth above and approval, the District Manager or her/his designee will issue electronically an Overnight Parking Permit to the Resident. Overnight Parking Permits will be granted by way of written correspondence by the District Manager or her/his designee. Requests and issuances of Overnight parking permits will be internally monitored by the District. No verbal grants of authority will be issued or be held valid.

4. The Overnight Parking Permit must be displayed on the bottom left side of the Vehicle windshield.

B. VENDORS/CONTRACTORS. The District Manager or her/his designee may authorize vendors/consultants in writing to park company Vehicles in order to facilitate District business. All Vehicles so authorized must be identified by an Overnight Parking Permit.

C. DELIVERY VEHICLES AND GOVERNMENTAL VEHICLES. Delivery Vehicles, including but not limited to, UPS, Fed Ex, moving company Vehicles, and lawn maintenance vendors may park on District property while actively engaged in the operation of such business. Vehicles owned and operated by any governmental unit may also park on District property while carrying out official duties.

## **SECTION 6. TOWING/REMOVAL PROCEDURES.**

A. SIGNAGE AND LANGUAGE REQUIREMENT. Notice of the Tow-Away Zones shall be approved by the District's Board of Supervisors and shall be posted on District property in the manner set forth in Section 715.07, *Florida Statutes*. Such signage is to be placed in conspicuous locations, in accordance with Section 715.07, *Florida Statutes*.

B. TOWING/REMOVAL AUTHORITY. To effect towing/removal of a Commercial Vehicle, Vehicle, Vessel or Recreational Vehicle, the District Manager or her/his designee must verify that the subject Commercial Vehicle, Vehicle, Vessel or Recreational Vehicle was not authorized to park under this Policy in the Tow-Away Zone, and then must contact a firm authorized by Florida Law to tow/remove Commercial Vehicles, Vehicles, Vessels or Recreational Vehicles for the removal of such unauthorized vehicle at the owner's expense. The Commercial Vehicle, Vehicle, Vessel or Recreational Vehicle shall be towed/removed by the firm in accordance with Florida Law, specifically the provisions set forth in Section 715.07, *Florida Statutes*.

C. AGREEMENT WITH AUTHORIZED TOWING SERVICE. The District's Board of Supervisors is hereby authorized to enter into and maintain an agreement with a firm authorized by Florida Law to tow/remove unauthorized vehicles in accordance with Florida Law and with the policies set forth herein.

D. ENFORCEMENT.

1. First Violation. When the District Manager or her/his designee has verified that a Commercial Vehicle, Vehicle, Vessel or Recreational Vehicle, for the first time,

has parked in a Tow-Away Zone without authorization as allowed in this Policy, the District Manager or her/his designee shall issue a Parking Violation Notice in a conspicuous place on the vehicle. A sample form of the Parking Violation Notice is identified as **Exhibit C** and attached hereto (“Parking Violation Notice”).

2. Second and Subsequent Violation(s). When the District Manager or her/his designee has verified that a Commercial Vehicle, Vehicle, Vessel or Recreational Vehicle has parked in a Tow-Away Zone without authorization as allowed in this Policy, for the second or subsequent time (after receiving a Parking Violation Notice), the District Manager or her/his designee must contact a firm authorized by Florida Law to tow/remove Commercial Vehicles, Vehicles, Vessels or Recreational Vehicles for the removal of such unauthorized vehicle at the owner’s expense.

**SECTION 7. PARKING AT YOUR OWN RISK.** Commercial Vehicles, Vehicles, Vessels or Recreational Vehicles may be parked on District property pursuant to this Policy, provided, however, the District assumes no liability for any theft, vandalism and/or damage that might occur to personal property and/or to such vehicles.

# CDD Common Area Map

To be updated with District Engineer Map when it becomes available

INTERIM EXHIBIT A to  
The Preserve at South Branch Community Development District  
Parking and Towing Enforcement Policy



# CDD Common Area Map

To be updated with District Engineer Map when it becomes available

**INTERIM EXHIBIT B to  
The Preserve at South Branch Community Development District  
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# **The Preserve at South Branch CDD**

## **Parking Violation Notice**

Overnight parking is not permitted throughout the community, unless pursuant to the Policy Relating to Parking and Parking Enforcement. Towing notice signs are posted throughout the community, in compliance with the Florida Statute.

Your vehicle has been found to be parked overnight without authorization as of the below date.

Make:

Model:

License Plate No.:

This is your first and only warning. You will have 24 hours to remove your vehicle or it will be towed at the owner's expense. Any future parking of this vehicle overnight without authorization will be towed at the vehicle owner's expense.

Date and Time:

District Manager or Designee:

Questions regarding this notice may be directed to the  
District Manager.  
(813) 758-4841