

LIVINGSTON LAKES CONDOMINIUM ASSOCIATION, INC.

Board Resolution Regarding Vehicles and Parking Rules and Regulations

The following Resolution regarding vehicles and parking rules and regulations as detailed herein is being adopted by the Board of Directors for Livingston Lakes Condominium Association, Inc. (the "Association"), which operates a multi-condominium and includes the Carriage Homes at Livingston Lakes, a Condominium, the Coach Homes at Livingston Lakes, a Condominium, and the Garden Homes at Livingston Lakes, a Condominium (the multi-condominium associations shall hereinafter be referred to as the "Neighborhood Associations") on this _____ day of _____ 2022.

WHEREAS, the Declaration of Condominium, Articles of Incorporation and Bylaws for Carriage Homes at Livingston Lakes, was recorded at O.R. Book 5179, Page 3320, in the Public Records of Collier County, Florida (hereinafter referred to as the "Carriage Declaration"); and

WHEREAS, the Declaration of Condominium, Articles of Incorporation and Bylaws for Coach Homes at Livingston Lakes, was recorded at O.R. Book 5179, Page 3544, in the Public Records of Collier County, Florida (hereafter referred to as the "Coach Declaration"); and

WHEREAS, the Declaration of Condominium, Articles of Incorporation and Bylaws for Garden Homes at Livingston Lakes, was recorded at O.R. Book 5235, Page 2667, in the Public Records of Collier County, Florida (hereafter referred to as the "Garden Declaration"); and

WHEREAS, the Association has the right to adopt rules and regulations regarding the parking of vehicles in the common elements and the right to limit use of parking areas and the number of vehicles that any resident may park at any time in accordance with sections 18.2 and 18.3 of the Carriage Declaration and the Coach Declaration, and sections 18.2, 18.3, and 18.4 of the Garden Declaration;

WHEREAS, the Board is adopting these vehicle and parking rules and regulations in order to ensure the safe parking of all vehicles on the condominium property.

WHEREAS, the Board held a duly-noticed meeting and approved the following rules and regulations for parking and vehicles as detailed further below.

NOW THEREFORE, BE IT RESOLVED: The above recitals are true and correct and incorporated into this Resolution regarding vehicles and parking rules and regulations, and the Board hereby adopts this Resolution, which shall be in effect and will be strictly enforced.

The rules for vehicles and parking are as follows:

- No resident may park or store more than two (2) vehicles in the community. Additional vehicles will be treated as Guests and should be registered under the guidelines on the back of the Guest Parking Permit.
- All vehicles must have a parking decal affixed to the front window identifying the vehicle as an owner or tenant.
- Passenger vehicles belonging to residents, which are properly licensed, may be parked in the resident's garage, the resident's exclusive paver driveway, or the resident's designated parking space or area if a Garden home resident.
- Vehicles parked in the Coach or Carriage paver driveways may not be parked in any portion of the common sidewalk, which is a common area. This ensures the safe passage of pedestrians and is also a code issue.
- Residents and visitors may not park their vehicles in the roadway, which is a common area. This ensures the safe passage of pedestrians and vehicles and also a code issue. Vendors and/or contractors that are temporarily in the community to perform work or services for a resident or the Association with vehicles that do not fit into a driveway or parking space may park along the street on a temporary basis while they are performing the work or services.
- Residents shall not permanently or on a routine basis park their vehicles in common spaces designated for guest parking. In the Garden homes, if a resident has two (2) vehicles, one (1) of the vehicles may be parked in an un-numbered common space if available.
- Small pick-up trucks, SUV's and/or vans may be parked in a driveway provided a) they are the type commonly used as private passenger vehicles; b) they are not parked in any portion of the sidewalk as stated above; and c) they are not commercial vehicle(s). **Otherwise, these types of vehicles may be parked only in an enclosed garage provided the garage door is closed.** Any residents who are able to park small pick-up trucks outside of an enclosed garage, and in compliance with the above rules, must also ensure that the bed of the truck is clean and that all personal property is removed from the bed when the vehicle is not in use.
- In the case of Garden homes, vehicles parked in the resident's parking space or un-numbered common spaces may not encroach into the roadway, curb, or sidewalk. **Be advised that most Garden homes parking spaces do not exceed 16'2" in length.**
- In all designated Garden homes resident's parking spaces, all guest spaces, and all common spaces, all vehicles shall be parked with the front end of the vehicle facing into the space provided for parking. Residents and visitors shall not be permitted to back any vehicle into such parking space.

- A “commercial vehicle” refers to any automobile, truck or other vehicle that (i) bears signs, lettering, or graphics referencing a business or commercial enterprise; or (ii) features racks, tools or other equipment or modifications related to a business or commercial use. Commercial vehicles temporarily on site for business or trade purposes may not be parked in the community outside of business hours.
- The following types of other vehicles may be parked only in an enclosed garage: campers, mobile homes, motor homes, boats, house trailers, boat trailers, all-terrain vehicles, or other types of trailers. Again, if parked in the garage the garage door shall remain closed.
- All powered vehicles capable of exceeding 5 mph shall be licensed, registered and insured. Golf carts or other low speed vehicles are prohibited. Motorcycles, mopeds or other motorized scooters may be operated only by a licensed driver and shall be registered as required by law.

The authority for the above rules is found in Section 18 of the Declarations of Condominium governing units and common elements in Livingston Lakes.

Enforcement Process

- Violations may be reported in writing to the board of directors, or its property manager
- A first violation will result in a warning notice
- If the vehicle owner fails to correct the violation, the resident will be subject to daily fines of \$100.00 per continuing violation
- In addition, a towing notice may be placed on the vehicle advising that the vehicle may be towed if the violation continues, in accordance with Florida towing statutes
- Repeated violations are subject to immediate towing, in accordance with Florida towing statutes
- Tenants who violate the parking rules after a written warning are also subject to eviction, and the owner of the unit may be brought into arbitration and will be liable for legal expenses