

**RESOLUTION OF
SUNSET LAKES HOMEOWNERS ASSOCIATION, INC.
ADOPTING
PARKING AND TOWING PROCEDURES**

WHEREAS, the residential subdivision known as Sunset Lakes is encumbered by that certain document entitled Declaration of Covenants and Restrictions for Sunset Lakes dated March 25, 1993 and recorded on April 1, 1993 in Official Records Book 3278, Page 4548, Public Records of Brevard County, Florida, as amended, (hereinafter "Declaration"); the Articles of Incorporation of Sunset Lakes Homeowners Association, Inc. ("Articles") and the Bylaws of Sunset Lakes Homeowners Association, Inc. ("Bylaws"), (the Declaration, Articles and Bylaws collectively referred to hereinafter as "Governing Documents"); and

WHEREAS, the Declaration contains various provisions relating to the parking and storing of vehicles within Sunset Lakes, which provisions are found in Article VII, Section 7.3(k) of the Declaration, and which specifically prohibits parking upon the streets within Sunset Lakes "for an extended period of time" among other parking restrictions; and

WHEREAS, Article V of the Declaration authorizes the Association to adopt reasonable rules and regulations pertaining to the use of the common Property and to enforce the Declaration and any rules and regulations adopted thereunder; and

WHEREAS, the Design Review Guidelines for Sunset Lakes Homeowners Association, Inc., which was adopted by the Board of Directors at a duly called and noticed meeting, contains additional parking restrictions related to commercial vehicles; and

WHEREAS, Section 715.07(2), Florida Statutes, specifically authorizes the owner of real property to cause any vehicle or vessel parked upon property without permission to be removed by non-consensual towing thereof; and

WHEREAS, the Association is the record title holder of the roadways and rights of way within Sunset Lakes; and

WHEREAS, Section 720.305, Florida Statutes, and Article V, Section 5.3 of the Declaration authorize the Association to levy fines for violations of the Governing Documents; and

WHEREAS, the Board of Directors believes that it is beneficial to adopt rules and a policy regarding parking within Sunset Lakes and the enforcement of the parking restrictions contained herein and in the Declaration by way of towing and fining.

NOW THEREFORE, pursuant to the aforementioned authority, the Board of Directors hereby adopts the following parking rules and towing and fining policy with regard to street parking within Sunset Lakes.

A. Parking Rules and Regulations for Sunset Lakes:

1. Parking of any vehicles is not allowed on any streets, roadways, and rights of way within Sunset Lakes between the hours of 1:00am and 7:00am.

2. The term “for an extended period of time” contained in Section 7.3(k) of the Declaration shall be applied to prohibit any vehicles from being parked on any streets, roadways, and rights of way within Sunset Lakes for any consecutive twelve (12) hour period, regardless of the time of day that the twelve (12) hour period occurs.

3. The term “for an extended period of time” contained in Section 7.3(k) of the Declaration shall be applied to prohibit any vehicles from being parked on any lawn or yard within Sunset Lakes.

4. No parking at any time will apply to all common grass areas as well as Sunset Lakes Drive unless otherwise displayed.

5. Recreational vehicles and trailers shall be kept in a garage or off premises storage facility. These vessels are allowed overnight street parking in Sunset Lakes (see item 8) for a period of 24 hours (1 day) for load/unload activities. At no time should any of these vessels be parked with wheels on the grass. Any RV, boat, or trailer that can be parked in the driveway without extending into the side walk is allowed that privilege for the same 24 hour (1 day) time period.

6. Boats may be parked to the side of a residence provided that a privacy fence is erected and the boat is not visible from the street or neighbor’s property and any ingress and egress to such an area and the area inclusive must be **in compliance with Brevard County zoning and building ordinances.**

7. Commercial vehicles of any kind are not permitted to park in any visible area of the community; except for contractors performing work on ARC approved projects and lawn maintenance. Parking of commercial vehicles in garages with the garage door closed is permitted.

8. To accommodate over-night guests and special circumstances or occasions, approval may be given to allow parking in the Sunset Lakes Park on a temporary/infrequent basis. Authorization for parking in the Park or any exception to the above items in Section A 1 through 7 must be applied for in writing or email with the Board and approved by the Board, of which that signed approval must be displayed at all times in the front window of the vehicle to avoid violation.

B. Towing of Vehicles for Street Parking Violations:

Any vehicle improperly parked on the streets, roadways, or rights of way of Sunset Lakes, in violation of the Rules and Regulations contained in Section A above or in the Declaration will be subject to immediate, non-consensual towing without any additional warning or notice to the owner thereof.

C. Towing Procedures:

The Association shall engage a towing company which meets the criteria provided for under Section 715.07, Florida Statutes, which is regularly engaged in the business of towing, to act as the Association's towing company; will arrange for signs to be installed at all vehicular entrances to Sunset Lakes which meet the requirements of §715.07; and will take such other actions as are necessary to comply with §715.07 and any applicable laws or ordinances related to the towing of vehicles.

D. Authority to Contact Towing Agency:

The Board of Directors hereby appoints the following persons as authorized representatives to contact the Association's designated and contracted towing company for purposes of reporting any vehicles subject to towing pursuant to the above-established policy:

Sunset Lakes HOA Board of Directors

Advanced Property Management

In addition, the Association will authorize the towing company to remove vehicles subject to towing pursuant to the above-established policy one day per month on a random basis without prior approval of the BOD or APM.

E. Non-Towing Enforcement of Violations of Parking Restrictions:

The Association may enforce any parking violations that occur within Sunset Lakes, whether located on the streets, roadways, or rights of way of Sunset Lakes, or otherwise, in the manners provided for in Article V of the Declaration or otherwise allowed under the law, including, but not limited to, fining of Members of the Association

SO RESOLVED by a majority of the Board of Directors of the Association at a duly called and noticed Board meeting, on the 16 day of March, 2016.

SUNSET LAKES HOMEOWNERS'
ASSOCIATION, INC.

By: Bertha Perrin, President

ATTEST:

Linda Stasik, Secretary