

RESOLUTION 2023-04

**A RESOLUTION OF THE BOARD OF SUPERVISORS OF THE BEACH
COMMUNITY DEVELOPMENT DISTRICT ADOPTING RULES RELATING TO
OVERNIGHT PARKING AND TRAFFIC ENFORCEMENT; RATIFYING THE
ACTIONS OF THE DISTRICT MANAGER TO PROVIDE NOTICE THEREOF;
AND PROVIDING FOR SEVERABILITY AND AN EFFECTIVE DATE.**

WHEREAS, the Beach Community Development District ("District") is a local unit of special-purpose government organized and existing under and pursuant to Chapter 190, Florida Statutes, as amended; and

WHEREAS, Chapter 190, *Florida Statutes*, authorizes the District to adopt resolutions as may be necessary for the conduct of district business; and

WHEREAS, the Board of Supervisors of the District ("Board") is authorized by Section 190.012(2), *Florida Statutes*, to provide for the operation of open space, parks and recreational facilities and security for the same, which authorization includes contracting with a towing operator provided that the District follows the authorization and notice and procedural requirements in Section 715.07, *Florida Statutes*; and

WHEREAS, the District desires to adopt *Rules Relating to Overnight Parking and Parking Enforcement* ("Rules"), pursuant to the provisions of Sections 190.012, *Florida Statutes*; and

WHEREAS, the Board finds that it is in the best interests of the District to adopt by resolution the Rule for immediate use and application.

**NOW, THEREFORE, BE IT RESOLVED BY THE BOARD OF SUPERVISORS OF
THE BEACH COMMUNITY DEVELOPMENT DISTRICT:**

SECTION 1. The District hereby adopts the Rules, attached hereto as **Exhibit A**.

SECTION 3. If any provision of this Resolution or the Rules is held to be illegal or invalid, the other provisions shall remain in full force and effect.

SECTION 4. This Resolution shall become effective upon its passage and shall remain in effect unless rescinded or repealed.

PASSED AND ADOPTED this 19th day of December, 2022.

ATTEST:

BEACH COMMUNITY DEVELOPMENT DISTRICT

Secretary/Assistant Secretary

Chair/Vice Chair, Board of Supervisors

Exhibit A: Rules Relating to Overnight Parking and Parking Enforcement

EXHIBIT A

Rules Relating to Overnight Parking and Parking Enforcement

EXHIBIT A

BEACH COMMUNITY DEVELOPMENT DISTRICT RULE RELATING TO OVERNIGHT PARKING AND PARKING ENFORCEMENT

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

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

SECTION 2. DEFINITIONS.

- A.** *Vehicle.* Any mobile item which normally uses wheels, whether motorized or not.
- B.** *Vessel.* Every description of watercraft, barge, or airboat used or capable of being used as a means of transportation on water.
- C.** *Parked.* A Vehicle or Vessel left unattended by its owner or user.
- D.** *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.
- E.** *Overnight.* Between the hours of 10:00 p.m. and 4:00 a.m. daily.

SECTION 3. DESIGNATED PARKING AREAS. Those areas within the District’s boundaries depicted in **Exhibit A**, which is incorporated herein by reference, and identified as “Amenity Center,” are hereby established as “Tow-Away Zones” during Overnight hours for all Vehicles and Vessels, as set forth in Sections 4 and 5 herein. Those areas within the District’s boundaries depicted in **Exhibit A** and identified as “JEA Right-Of-Way” are hereby established as “Tow-Away Zones” at all times, 24 hours a day seven days a week, for all Vehicles and Vessels, as set forth in Sections 4 and 5 herein.

SECTION 4. ESTABLISHMENT OF TOW-AWAY ZONES. The areas set forth in **Exhibit A** attached hereto are declared a Tow Away Zone.

SECTION 5. EXCEPTIONS.

- A. VENDORS/CONTRACTORS.** The District Manager or his/her 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 Pass.

SECTION 6. TOWING/REMOVAL PROCEDURES.

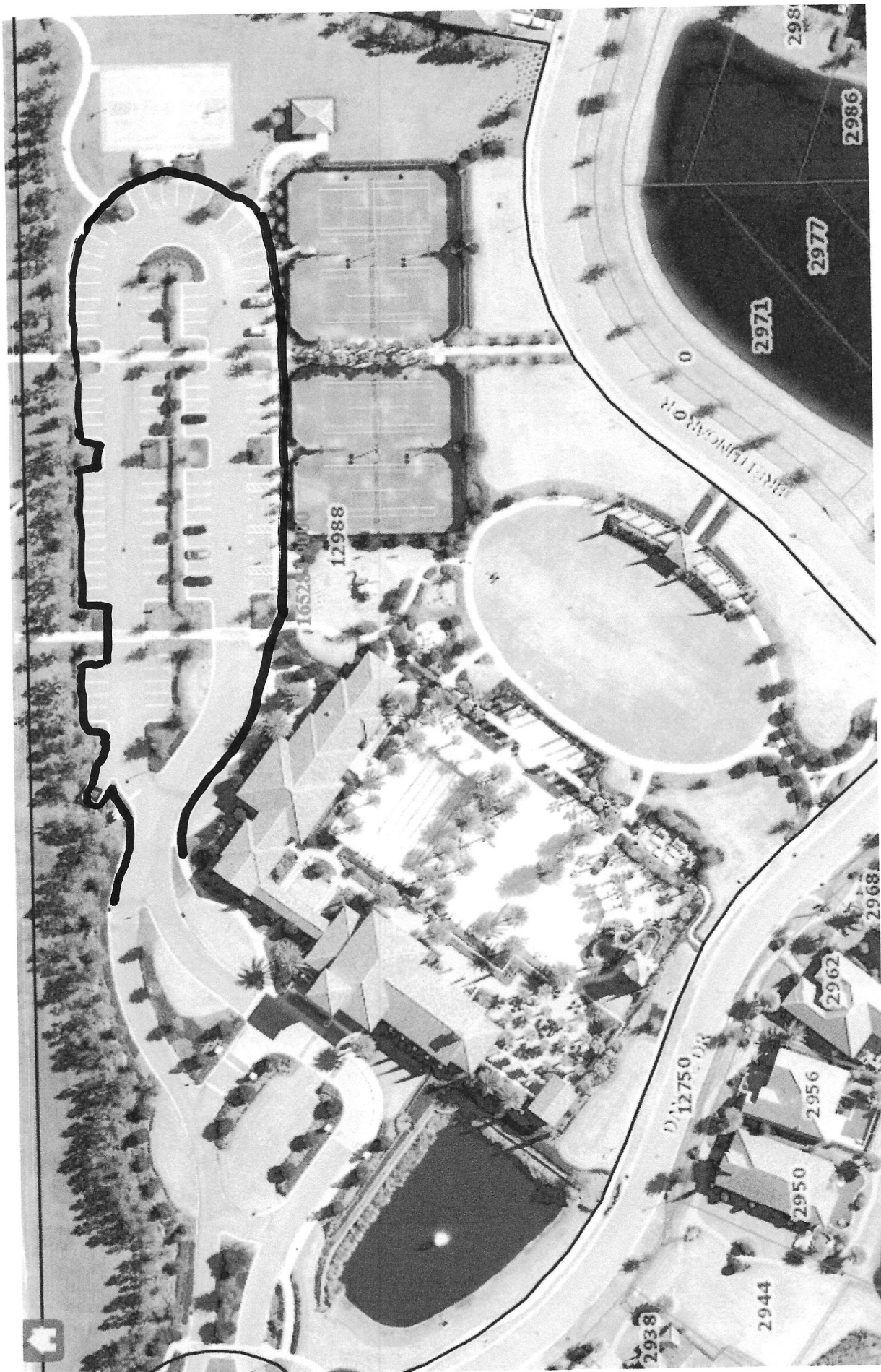
- A. SIGNAGE AND LANGUAGE REQUIREMENTS.** Notice of the Tow-Away Zones shall be approved by the District Manager and shall be posted on District property in the manner set forth in section 715.07, *Florida Statutes*. Such signage is to be placed in conspicuous locations, in accordance with section 715.07, *Florida Statutes*.
- B. TOWING/REMOVAL AUTHORITY.** To effect towing/removal of a Vehicle or Vessel, the District Manager or his/her designee must verify that the subject Vehicle or Vessel was not authorized to park under this rule and then must contact a firm authorized by Florida law to tow/remove Vehicles or Vessels for the removal of such unauthorized Vehicle or Vessel at the owner's expense. The Vehicle or Vessel 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 and in accordance with Florida law and with the policies set forth herein.

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

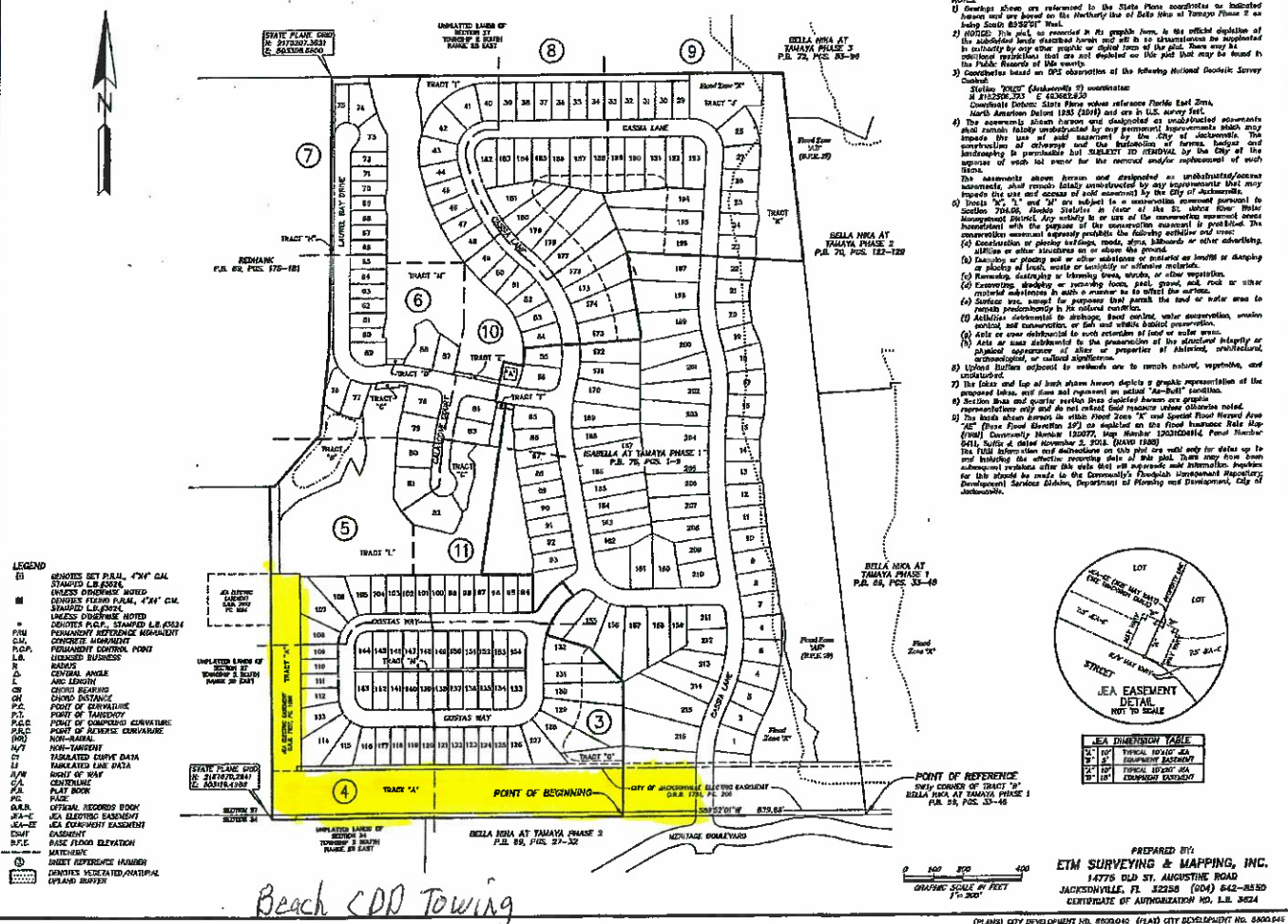
EXHIBIT A – Tow Away Zone

Effective date: _____

EXHIBIT A
TOW AWAY ZONE



SHEET 2 OF 11 SHEETS



PROPERTIES

DUVAL MAPS



2797

Beach CDD Towing

Parcels

Real	165282 0610
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Estate (<https://paopropertysearch.coj.net/Ba>

#: RE=1652820610)

Owner: BEACH COMMUNITY DEVELOPMENT DI

Address: 0 COSTAS WAY0

City: JACKSONVILLE

Zip 32246

Code:

Acres: 6.3

ICT

[View more Parcel Details](#)

Tamaya Blvd

Driveway 13007