

Danforth Property Owners Association Traffic Regulations and Enforcement Standards

Amended 02-12-01

Rationale:

In order to enhance the safety and welfare of the Danforth Community, the DPOA Board of Directors is establishing traffic regulations and enforcement standards for Danforth.

I. Overview of Enforcement Standard:

- A.** The Danforth Property Owners Association Board of Directors is authorized by the Articles of Incorporation for the Danforth Property Owners Association, Article IV, C2; and by the Declaration of Protective Covenants, Restrictions and Easements for the Danforth Property Owners Association, Article IV, C, to make, establish, amend and enforce reasonable rules and regulations governing the use of Association Property (e.g. the roadways within Danforth).
- B.** The Danforth Property Owners Association Board of Directors is authorized by the Third Amendment to Declaration of Protective Covenants, Restrictions and Easements for the Danforth Property Owners Association, Article XV, C to “levy reasonable fines against any Owner...for any violations by Owner or Owners’ family members, lessees, guests, licensees, invitees, employees or agents of the provisions contained in...Rules and Regulations promulgated by the Association from time to time.”
- C.** Enforcement of the traffic regulations will include the issuance of traffic violation citations by an authorized law enforcement representative. A traffic violation is an action requiring immediate remedy because it puts the safety of residents at risk. Warnings may be issued, when appropriate, at the sole discretion of the law enforcement official observing the infraction. When deemed appropriate by the law enforcement official a Martin County violation may be issued.
- D.** DPOA Violations will carry assessment of fines against Property Owners for violating Danforth’s traffic regulations or for violations by their family members, guests, invitees, employees, or agents.
- E. UNPAID FINES WILL RESULT IN AN INDIVIDUAL ASSESSMENT UPON THE PROPERTY OWNER.**

II. Traffic Enforcement:

- A.** The Danforth Property Owners Association will provide and maintain Stop signs at intersections within the community. These signs will have the same meaning as Stop signs located on public roadways.
- B.** The speed limit on all streets in Danforth is 25mph.
- C.** Careless, reckless or unsafe driving is prohibited.

III. Parking:

- A.** The parking lot at the entrance to Danforth is maintained for the convenience of Danforth property owners and residents. Parking in the parking lot is limited to property owners, residents and their employees during pick-up and drop-off times for students (6:00am to 9:00am and 1:30pm to 4:30pm on school days). The remainder of the time the parking lot is limited to property owners, residents and their invited guests. Non-residents parking in this lot may be deemed to be trespassing and may be subject to towing at the owners expense or prosecution.
- B.** Parking, stopping or standing is prohibited along Palm City School Road between CR714 and a point 25 yards to the South of the entrance to the parking lot. This is a heavily congested area and vehicles parked in the roadway pose a safety hazard to children and to other vehicles entering and leaving Danforth. Parking, stopping or standing is also prohibited in other areas where “no parking” signs are displayed (also marked with yellow curb lines), for example on both sides of the parking lot entrance.
- C.** Overnight parking is not permitted in the parking lot without prior written approval by a Board Member. This written approval must be displayed in the windshield of any vehicle parked overnight. Such parking is done at the sole risk of the vehicle owner.
- D.** Parking on grassy areas next to curbs is prohibited. DPOA irrigation sprinklers are located in this area and have been frequently damaged by vehicles.

IV. Commercial Vehicle Enforcement:

- A.** Commercial vehicles, including but not limited to delivery vehicles, service vehicles, Realtors, utility vehicles, etc., operated by non-residents are required to observe all Danforth traffic regulations. Commercial vehicles operated by Danforth residents are not subject to this section, rather they are subject to all other sections as if they were operating a non-commercial vehicle within Danforth.
- B.** Commercial vehicles will be issued warnings for violations of Danforth traffic regulations. When deemed appropriate by the law enforcement official a Martin County violation may be issued.
- C.** A copy of any Danforth traffic violation will be sent to the company’s office advising them of the incident, along with a letter explaining Danforth’s traffic regulations. This letter will request that the company take appropriate action against the employee, including at a minimum verbal counseling cautioning against unsafe driving.
- D.** If a third violation occurs within a six month period, the property manager will prepare a letter for the signature of a member of the Board advising the company that the driving practices of their employees are a matter of serious concern by the Board and asking for a written response explaining what actions the company is taking to correct the problem.

V. Enforcement Procedure:

- A.** A Board authorized off-duty law enforcement official will perform the enforcement of the Danforth traffic regulations. Speeding violations will be determined using properly calibrated radar equipment furnished and maintained by the Sheriff’s department.

- B. The official, when giving out traffic violation citations, will be accompanied by a person from or appointed by the Neighborhood Watch Committee. The Neighborhood Watch designee is an observer, corroborating the occurrence of the violation.
- C. In the event that a traffic violation is issued to a person other than the homeowner of record, a copy of the traffic violation citation will be promptly mailed by the property manager, addressed to the homeowner of record at the address of record. This mailing will be sent by certified mail. The postmark date will be deemed to be the date of notice.

VI. Fines:

- A. The fine for a stop sign violation will be \$25.00 per incident.
- B. The fine for exceeding the speed limit will be \$50.00 per incident.
- C. The fine for a parking violation will be \$25.00 per incident.

VII. Processing:

- A. Fines are to be paid within 14 days of the violation or within 14 days of the date of notice, whichever is later, by check made payable to Danforth Property Owners Association. Payment is to be made by mail or in person at the offices of the property manager.
- B. The property manager will monitor violations. If payment is not received by the property manager within 14 days as described in VII A. above or the homeowner has not filed a timely appeal, the property manager will prepare an invoice to the property owner informing them of the amount due and that if payment is not received within 20 days the amount will be forwarded to the Association's accountant and be entered as an assessment on the property. If a timely appeal is filed, the property manager will monitor the outcome of the appeal. If the appeal decision is that the fine stands, the property manager will prepare an invoice to the property owner as stated earlier in this paragraph.
- C. The property manager will forward unpaid fines to the accountant after 20 days have elapsed from the date of the invoice.
- D. The accountant will record unpaid fines forwarded from the property manager as an assessment against the property. At that time it will fall under the Association's normal collection process.

VIII. Appeals:

- A. Any property owner or resident may file an appeal to the Appeals Committee. An appeal request must be made in writing and mailed or delivered to the property manager within 14 days of the violation, or within 14 days of the date of notice, whichever is later.
- B. The Appeals Committee will schedule a date to hear appeals within a reasonable time frame and inform the parties requesting an appeal by mail postmarked at least 5 business days prior to the meeting.
- C. A decision of a majority of the Appeals Committee will be final.

Effective Date:

These Traffic Regulations and Enforcement Standards become effective May 1, 2001, and supercede and replace the Traffic Regulations And Enforcement Guidelines approved June 13, 2000.