

**MARSHALL CREEK COMMUNITY DEVELOPMENT DISTRICT**  
***POLICIES RELATING TO TOW-AWAY ZONES AND PARKING ENFORCEMENT***

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In accordance with Chapter 190, *Florida Statutes*, and on February 15, 2017 at a duly noticed public meeting, the Board of Supervisors of the Marshall Creek Community Development District (“District”) adopted the following policies to govern tow-away zones and parking enforcement (“Policy”). This Policy repeals and supersedes all prior policies governing the same subject matter.

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**SECTION 1. INTRODUCTION.** The District finds that parked Commercial Vehicles (hereinafter defined) on unapproved parking areas and parked Vehicles and Vessels (hereinafter defined) on certain property overnight are a nuisance 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 the means to remove Vehicles and Vessels from Tow-Away Zones (hereinafter defined) and remove Commercial Vehicles from Commercial Vehicle Tow-Away Zones (hereinafter defined). This Policy authorizes Commercial Vehicle Tow-Away Zones and Tow-Away Zones in designated areas, which areas are identified in **Exhibits A** and **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, including, but not limited to, Commercial Vehicles.
- C. *Vessel.* Every description of watercraft, barge, or airboat used or capable of being used as a means of transportation on water.
- D. *Parked.* A Vehicle or Vessel left unattended by its owner or user. This definition excludes actively engaged delivery vehicles.
- E. *Tow-Away Zones.* District property in which parking a Vehicle or Vessel is prohibited and in which the District is authorized to initiate a towing and/or removal action.
- F. *Commercial Vehicle Tow-Away Zones.* District property in which parking a Commercial Vehicle is prohibited and in which the District is authorized to initiate a towing and/or removal action.
- G. *Overnight.* Between the hours of 12:00 a.m. and 7:00 a.m. daily.

**SECTION 3. DESIGNATED PARKING AREAS.** The laws and regulations related to authorized and unauthorized parking of Vehicles or Vessels on District property can be found in Chapter 316, *Florida Statutes*, St. Johns County Code of Ordinances, and the Marshall Creek Community Development District Amenity Policies.

**SECTION 4. ESTABLISHMENT OF TOW-AWAY ZONES; COMMERCIAL TOW-AWAY ZONES.**

- A. Commercial Vehicles parked in the areas identified in **Exhibit A** attached hereto, within the District are hereby declared “Commercial Vehicle Tow-Away Zones.”
- B. Vehicles and Vessels parked in the areas identified in **Exhibit B** attached hereto, within the District are hereby declared “Tow-Away Zones” during the Overnight hours.

**SECTION 5. EXCEPTIONS. VENDORS/CONTRACTORS.** The District Manager or his/her designee may authorize, in writing, vendors/consultants to park company vehicles in order to facilitate District business.

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

- A. **SIGNAGE AND LANGUAGE REQUIREMENTS.** Notice of the Tow-Away Zones and the Commercial Vehicle 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 Vehicle or Vessel, the General Manager or his/her designee must verify that the subject Vehicle or Vessel was not authorized to park under this Policy and then must contact a firm authorized by Florida law to tow/remove Vehicles and 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 or Vessels 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 Policy, provided however that the District assumes no liability for any theft, vandalism, and/or damage that might occur to personal property and/or Vehicles or Vessels.

**EXHIBIT A – Map of Commercial Vehicle Tow-Away Zones.**

**EXHIBIT B – Map of Overnight Tow-Away Zones.**

Specific Authority: §§ 190.012(2)(d) and 190.041, *Fla. Stat.*

Effective date: February 15, 2017

**EXHIBIT A**

**MAP OF MAP OF COMMERCIAL VEHICLE  
TOW-AWAY ZONE**





**EXHIBIT B**

**MAP OF OVERNIGHT  
TOW-AWAY ZONES**

