

THE TOWNEHOMES OF DEER CREEK HOMEOWNERS ASSOCIATION, INC.  
RESOLUTION OF BOARD OF DIRECTORS

AMENDMENTS TO RULES AND REGULATIONS REGARDING VEHICLES

WHEREAS, The Townehomes of Deerk Creek Homeowners Association, Inc. (the "Association") is the not-for-profit corporation that administers and manages The Townehomes of Deerk Creek (the "Community"), pursuant to the Amended and Restated Declaration of Covenants and Restrictions of The Townehomes of Deerk Creek recorded in the Official Records of Broward County, Florida, as such Amended and Restated Declaration has been amended from time to time (hereinafter the "Declaration"), and the Rules and Regulations of the Association;

WHEREAS, Section 9.1(i) of the Declaration provides that the Board shall have the power to adopt and amend Rules and Regulations concerning the details of the operation and use of the dwelling units and the common property;

WHEREAS, Section 16 of the Declaration provides that each owner and every occupant, guest, agent, employee and contractor shall be governed by the Declaration and the Rules and Regulations of the Association, as the same may be amended from time to time;

WHEREAS, Rule No. 19 of Association's Rules and Regulations provide that only those vehicles designated to transport passengers, including automobiles, station wagons, sport utility vehicles, non-commercial trucks, motorcycles and vans which have windows on all body panels may park within the Community;

WHEREAS, Section 1.2 of the Declaration provides that it shall be subject to and governed by Chapter 720 of the Florida Statutes which governs homeowners' associations as same shall be amended or renumbered from time to time;

WHEREAS, Section 720.3075(3)(d), Florida Statutes (2024) provides that homeowners' association documents, including declarations of covenants, articles of incorporation, or bylaws, may not preclude a property owner or a tenant, a guest, or an invitee of the property owner from parking his or her personal vehicle, including a pickup truck, in the property owner's driveway, or in any other area in which the property owner or the property owner's tenant, guest, or invitee has a right to park as governed by state, county, and municipal regulations;

WHEREAS, Section 720.3075(3)(d), Florida Statutes (2024) further provides that the homeowners' association documents, including declarations of covenants, articles of incorporation, or bylaws, may not prohibit, regardless of any official insignia or visible designation, a property owner or a tenant, a guest, or an invitee of the property owner from parking his or her work vehicle, which is not a commercial motor vehicle as defined in s. 320.01(25), in the property owner's driveway;

WHEREAS, the Board desires to amend the Rules and Regulations regarding vehicles that may be parked within the Community to conform them with Section 720.3075(3)(d), Florida Statutes (2024);

WHEREAS, at a duly called and noticed meeting of the Board of Directors held on 17 October, 2024, at which a quorum of the Board was attained, this Resolution of the Board of Directors was properly approved by a majority of the Board members present; and

NOW THEREFORE, BE IT RESOLVED by and through the Board THAT:

The Board of Directors amends Rule No. 19 as follows:

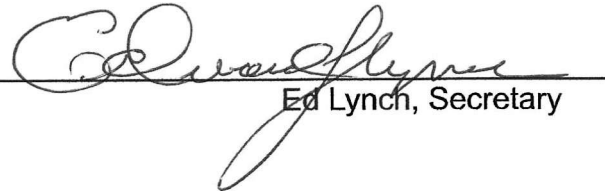
(Additions shown by underling and deletions shown by ~~strike-out~~)

~~Only those v~~ehicles designated to transport passengers, including automobiles, station wagons, sport utility vehicles, non-commercial trucks, motorcycles and vans which have windows on all body panel may park within the Community. Additionally, in accordance with Section 720.3075(3)(d), Florida Statutes, other personal vehicles may be parked within the Community, and work vehicles that are not commercial vehicles as defined in Section 320.01(25), Florida Statutes, may be parked in an owner's driveway. Notwithstanding the foregoing, no vehicle may be a visual nuisance. The presence of advertising or commercial insignias or designations on a work vehicle does not constitute a visual nuisance, but a vehicle which is not fully mechanically operable, is in disrepair or is not currently licensed for use, or a vehicle covered with profanity or symbols or language which constitute hate crimes under applicable law does constitute a visual nuisance.

Please refer to the Association Documents, including the Notice of Non-Enforcement of Certain Vehicle Restrictions, for further clarification of those vehicles that Will Not be permitted to park within the Community.



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Scott Marks, President



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Ed Lynch, Secretary