

**RESOLUTION NO. 2022-08**

**A RESOLUTION OF THE BOARD OF SUPERVISORS OF RIVER HALL  
COMMUNITY DEVELOPMENT DISTRICT ADOPTING RULES  
RELATING TO PARKING AND PARKING ENFORCEMENT;  
PROVIDING FOR SEVERABILITY, CONFLICTS AND AN EFFECTIVE  
DATE.**

**WHEREAS**, River Hall Community Development District (the “**District**”) is a community development district that was established pursuant to the provisions of Chapter 190, Florida Statutes and Chapter 42YY-1, Florida Administrative Code, implemented by the Florida Land and Water Adjudicatory Commission, effective on April 21, 2005, as amended by Rule 42YY-1.002, effective on July 20, 2006; and

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

**WHEREAS**, the Board of Supervisors finds that it is in the best interests of the District to adopt by resolution the Rules Relating to Parking and Parking Enforcement attached hereto as **Exhibit “A”** for immediate use and application; and

**WHEREAS**, the Board of Supervisors has complied with applicable Florida law concerning the development and adoption.

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

**SECTION 1. FINDINGS.** The above recitals are true and correct and incorporated herein by this reference.

**SECTION 2. ADOPTION OF RULES.** The attached Rules Relating to Parking and Parking Enforcement are hereby adopted pursuant to this Resolution and shall repeal and supersede all prior rules and/or policies governing the same subject matter. These Rules Relating to Parking and Parking Enforcement shall stay in full force and effect until such time as the Board of Supervisors may amend these rules in accordance with Chapter 190, Florida Statutes.

**SECTION 3. SEVERABILITY.** If any section or part of a section of this Resolution be declared invalid or unconstitutional, the validity, force and effect of any other section or part of a section of this Resolution shall not thereby be affected or impaired unless it clearly appears that such other section or part of a section of this Resolution is wholly or necessarily dependent upon the section or part of a section so held to be invalid or unconstitutional, it being expressly found and declared that the remainder of this Resolution would have been adopted despite the invalidity of such section or part of such section.

**SECTION 4. CONFLICTS.** All resolutions or parts thereof in conflict herewith are, to the extent of such conflict, superseded and repealed.

**SECTION 5. EFFECTIVE DATE.** This Resolution shall be effective immediately upon its adoption.

**PASSED AND ADOPTED** at a meeting of the Board of Supervisors of River Hall Community Development District this 7<sup>th</sup> day of July, 2022

**RIVER HALL COMMUNITY  
DEVELOPMENT DISTRICT**

Attest:

  
Chesley E. Adams, Jr., Secretary

  
Kenneth D. Mitchell, Chair

## **Exhibit “A”**

**River Hall Community Development District  
Rules Relating To Parking and Parking Enforcement**

In accordance with Chapter 190, Florida Statutes, and on July 2, 2022 at a duly noticed public meeting, the Board of Supervisors of River Hall Community Development District ("**District**") adopted these **Rules Relating To Parking and Parking Enforcement** (these "**Rules**") to govern parking and parking enforcement on certain District property. These Rules repeal and supersede all prior rules and/or policies governing the same subject matter.

**Section 1. Introduction.** The District finds that Vehicles (hereinafter defined) parked on certain real property within the District cause hazards and danger to the health, safety and welfare of District owners, tenants, guests, contractors and the public. These Rules are intended to provide the District with the means to enforce the Parking Restrictions (as defined below) designated by the District consistent with these Rules.

**Section 2. Applicability.** These Rules shall be applicable on, over, or within the District ROW (as defined below). These Rules shall not apply to any other District right-of-ways or District property unless these Rules are amended to include such District right-of-ways or District property or additional rules are adopted which affect such District right-of-ways or District property.

**Section 3. Definitions.**

- a. **District ROW.** That certain portion of the District's right-of-way known as River Hall Parkway, as depicted in **Exhibit A**.
- b. **Park; Parked; or Parking.** A Vehicle left unattended by its owner or user.
- c. **Stand; or Standing.** A Vehicle attended by its owner or user which is idling, standing, or parked for the active or future purpose of receiving or discharging passengers.
- d. **Parking Restrictions.** The prohibition against the parking or standing of Vehicles on, over or within the District ROW.
- e. **Tow-Away Zone.** Any District property on which parking is prohibited and in which the District is authorized to initiate a towing and/or removal action as further provided within these Rules.
- f. **Vehicle.** Any self-propelled vehicle or motorized means of transport including, without limitation, a car, truck, motorcycle or golf cart.

**Section 4. Parking and Standing in District ROW Prohibited.** Except as otherwise permitted in Section 6, below, parking and standing of Vehicles on, over or within the District ROW is strictly prohibited.

**Section 5. Establishment of Tow-Away Zone.** The District ROW is designated as a "Tow Away Zone". Any Vehicle parked in violation of these Rules may be towed by the District at the sole cost and expense of the owner of such Vehicle if it remains in violation of the terms and conditions of these Rules. The District shall not be liable to the owner of such Vehicle for trespass, conversion, damages, or otherwise, nor guilty of any criminal act by reason of such towing, and neither its removal nor failure of the owner of



such Vehicle to receive any notice of said violation shall be grounds for relief of any kind. All towing shall be performed in accordance with Section 715.07, Florida Statutes.

#### **Section 6. Exceptions.**

a. **District Vendors/Contractors.** The District Manager or his/her designee may authorize vendors/contractors/consultants of the District (including their subcontractors) to park or stand company Vehicles on District ROW in order to facilitate District business or maintenance of District property or facilities. All Vehicles so authorized must be identified by a written parking pass from the District Manager.

b. **Delivery Vehicles.** Delivery vehicles, including but not limited to, FedEx, UPS, or car transports may park or stand on District ROW while actively engaged in the operation of such businesses.

c. **Governmental Vehicles.** Vehicles owned and operated by any governmental unit including, without limitation, the Lee County Sheriff's Office, State Highway Patrol, and the Alva Fire Protection and Rescue, may park or stand on District ROW while carrying out official duties.

#### **Section 7. Miscellaneous.**

a. **Suspension of Rules.** The enforcement of these Rules may be suspended in whole or in part for specified periods of time, as determined by resolution of the Board of Supervisors of the District. In addition, the enforcement of these Rules may be suspended, in whole or in part, during emergencies at the discretion of the District Manager.

b. **Other Traffic and Parking Regulations.** Nothing in these Rules shall prohibit local law enforcement from enforcing the laws that are a part of the State Uniform Traffic Control Law, Chapter 316, Florida Statutes, or any other local or state law, rule or ordinance pertaining to vehicular traffic or parking enforcement.

c. **Parking at Your Own Risk.** The District assumes no liability for any theft, vandalism and/or damage that might occur to personal property and/or to such Vehicles that are parked or standing within the District ROW or towed/removed pursuant to these Rules.

Specific Authority: §§ 120.54, 120.69, 190.011(5), 190.012(2)(d), 190.012(3) and 190.041, Florida Statutes

**Exhibit "A"**  
**District ROW**





PALM BEACH BLVD (SR. 80)

RIVER HALL CDD BOUNDARY

RIVER HALL PARKWAY

RIVER HALL PARKWAY  
NO PARKING ZONE

RIVER HALL CDD BOUNDARY

DESIGNED: C.L.K.		DATE: 7/22
DRAWN: C.L.K.		DATE: 7/22
CHECKED: C.L.K.		DATE: 7/22
VERT. SCALE: 1" = 150'		HORIZ. SCALE: 1" = 150'
DRAWING NO. XXX-XX		
REFERENCE NO. 2015.012NP		
PROJECT NO. 15.012	SHEET NO. 1 OF 1	

REVISIONS		DATE
NUMBER		
1		
2		
3		
4		
5		

6200 Whiskey Creek Drive  
Fort Myers, FL 33919  
Phone : (239) 985-1200  
Florida Certificate of  
Authorization No. 1772

**H.M.**  
HOLEMONTES  
ENGINEERING LANDSCAPE ARCHITECTS & PLANNERS  
SINCE 1961

RIVER HALL  
COMMUNITY DEVELOPMENT DISTRICT  
PARKWAY NO PARKING EXHIBIT