



SPRUCE CREEK PROPERTY OWNERS' ASSOCIATION, INC.
212-1 Cessna Blvd., Port Orange, Florida 32128
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MARKUP #1 ->

ISSUE #1

- 5) No motorized vehicle shall be driven in Spruce Creek on any road, taxiway or other commonly owned property unless the vehicle is insured for third party liability, has brakes, a mirror, and if used at night, headlights and taillights. A golf cart used at night in addition must have brake lights, turn signals and a windshield.
- 6) The minimum age for a driver of a motorized vehicle which is regulated by Florida Statutes on public rights of way, (i.e. all motorized vehicles except golf carts, scooters or mopeds under 5 brake horsepower) not accompanied by a qualified adult, is 16 years of age.
- 7) Persons between the ages of 14 and 16 years of age may, in accordance with other rules and regulations, operate golf carts or motorized scooters or mopeds under 5 brake horsepower with the permission of the parent or guardian. Persons under age 14 are not authorized to operate any motorized vehicles on common property including all roads and taxiways.
- 8) Go-carts and similar low-profile vehicles, because of the difficulty of seeing them from all other vehicles, are considered unsafe on all common use roads, paths and taxiways and are prohibited. It is recommended that low profile bicycles display a warning flag not less than 6 feet high above ground level.
- 9) When calling for a wrecker/tow truck service or a locksmith, please phone the gate to advise the officer of the name of the company and the nature of the service.
- 10) Semi-trailers, certain commercial vehicles and motorhomes are prohibited from using the North Gate entrance. The North Gate bridge has a load limit of 10 tons, so these type vehicles must use the South Gate on Airport Road.
- 11) No Exposed vehicles - No boat, boat trailer, golf cart, recreational vehicle (RV), car trailer, motorcycle trailer, personal trailer, commercial truck or other commercial vehicle (except construction equipment during actual construction) shall be kept or parked on any lot or street except in an enclosed garage or hangar.
- a. During daytime hours, boats and/or trailers may be in the driveway if needed but must be in an enclosed garage or hanger after 6:00 PM.
 - b. None of the above can be stored outside at any property.
- 12) Motorhomes may be parked at a residence for no more than 24 hours to provide for maintenance and/or cleaning.

MARKUP #1 · CONFLICTS WITH MANDATORY STATE STATUTE

BOARD & COUNSEL REVIEW

Sec. 4 (p. 5): Parking clause restricts pickup trucks or authorized work vehicles in direct violation of Fla. Stat. § 720.3075(3) (HB 1203).
Statutory / Legal Reference: Fla. Stat. § 720.3075(3)
Statutory Comparison: Fla. Stat. § 720.3075 as amended by HB 1203 renders unenforceable any covenant that prohibits an owner from parking a personal vehicle, including a pickup truck, or an emergency service/work vehicle in their driveway.

CURRENT WORDING IN DOCUMENT:
5) No motorized vehicle shall be driven in Spruce Creek on any road, taxiway or other commonly owned property unless the vehicle is insured for third party liability, has brakes, a mirror, and if used at night, headlights and taillights.

SAMPLE DISCUSSION WORDING (FOR HOA ATTORNEY REVIEW):
Notwithstanding any provision herein to the contrary, personal pickup trucks, law enforcement vehicles, emergency services vehicles, and work vehicles operated by a resident or owner may be parked in the resident's designated driveway or parking area, pursuant to Fla. Stat. § 720.3075.