FAIRWAY OAKS HOMEOWNERS' ASSOCIATION, INC (HOA)
PARKING – POLICIES AND PROCEDURES
(Updated Nov2026)

Parking, in terms of a deed restricted community, is one of those topics that is discussed often but not very well understood.

Before proceeding, please note that it has been discussed with the Pasco County Sheriff's Office to have officers patrol the community to enforce parking on random days and times. Further, in consultation with the Sheriff's Office, we have also made arrangements to have the option to tow violating vehicles at the owner's expense (more on this below).

The Fairway Oaks HOA Declarations, Restrictions and Covenants states the following (Article XII, Section 1):

> *Parking Restrictions. No Owner of a Subdivision unit shall park, store, or keep any vehicle, except wholly within the garage or on the paved driveway, and no Owner shall park, store or keep any truck, camper, motorhome, boat trailer or aircraft, or any other vehicle other than a private passenger vehicle, on any uncovered parking driveway attached thereto.*
>
> *More specifically, no truck, camper, motorhome, boat, trailer, aircraft or any vehicle other than a private passenger vehicle, may be parked on the property other than within the garage. In no event shall any truck larger than a one-half (1/2) ton pickup be parked, stored or kept in any parking garage or driveway incident thereto.*
>
> *No Owner of a unit shall repair or restore any motor vehicle, boat, trailer, aircraft or other vehicle of any portion of any lot, except for emergency repairs, and then only to the extent necessary to enable movement thereof to a proper repair facility.*
>
> *No Owner shall park a vehicle on his parking garage driveway, attached to his unit, in such a manner that the vehicle extends into the street.*

In 2024, the State of Florida **amended** the statutes as follows:

> *People who drive their work vehicles are allowed to park with a maximum of 26,001 lbs and/or 3 or more axles.*

The above amendment now "clarifies" that a private passenger vehicle may include a "commercial" type vehicle for people who drive their work vehicles. With this clarification, the amendment also specifies the maximum weight and the number of axles that such a work vehicle may have. Please note a couple more things (just FYI):

- A half ton actually refers to the payload of the truck, at least when the term was first coined. In other words, the maximum weight that the truck can carry as opposed to the maximum weight of the truck itself. The references in both cases are also different than the maximum weight that the truck can tow. In reality, a half ton truck can tow much more than a "half ton".
- There are 2,000 lbs. in each ton. Therefore, a weight of 26,001 lbs. is equal to 13 tons (+/-).

Here is further information from the statute:

- *Associations may not prohibit the parking of a personal vehicle, including a pickup truck, in the property owner's driveway or in any other area where they have a right to park. F.S. 720.3075(3)(b).*
- *Associations may not prohibit a work vehicle, which is not a commercial motor vehicle as defined by statute, in the property owner's driveway. Florida Statute 320.0 I(25) defines a commercial vehicle as exceeding 26,00I lbs. or 3 or more axels, so these are the only commercial vehicles that can be prohibited from being parked in public view on the owner's driveway. F.S. 720.3075(3)(b).*

Hope the above provides clarity – not just for homeowners but also for renters. The only places allowed to park are in your garage or on your driveway. It is not allowed to park on any lawn, on any sidewalk, including the grass areas between the sidewalk and the street. Parking on any of the common grounds is never allowed.

With respect to the sidewalks: according to Florida Statute 316, Section 1945: Parking is prohibited on a sidewalk.

We would like to conclude this section by asking that we keep all sidewalks clear for pedestrians at all times. Though not mandatory under the by-laws, it is simple courtesy and consideration. Many of our neighbors need assistance in walking. Children in particular may be vulnerable. If the sidewalks are blocked, we force them to go onto the streets, which may put them in harm's way.

Moving now from the driveways to the streets, <u>all the streets</u> in Fairway Oaks are owned by the County. The County is responsible for maintaining and policing all the roads. Per County ordinance no parking is allowed on any of the streets.





Parking on the streets are more serious violations if vehicles block driveways, rights-of-way or mailboxes.

The intent of the parking restriction is to keep the roads free and clear. The parking restrictions do allow for the following:

- Temporary parking for municipal and county service vehicles, including all essential and first responders.
- Temporary parking for professional and other similar type commercial service vehicles such as plumbers, electricians, landscapers, movers, and the like.
- Temporary parking for family, guests and relatives.
- Temporary parking for loading and unloading.

As can be seen from the above list, the key word is “temporary”. If indeed there is a need to park temporarily, it will be helpful if signs were placed on the vehicle dashboards, e.g., “special event”. Such signs will not be required of course, for professionals such as plumbers and electricians who are obviously there to service the home.

Please note however, that temporary does not include parking on the street “only” at night.

Everyone should realize and understand that if there were no parking restrictions on the streets, the streets would be eventually overwhelmed with parked vehicles and moving traffic, thereby increasing the risks of accidents, and possibly hampering the movement of emergency vehicles such as fire trucks and ambulances. How do we know this? Because that is what happens today in communities that do not have or do not enforce parking restrictions.

As mentioned above, in discussions with the Sheriff’s Office, arrangements have been made for towing services. In consultation with the Sheriff’s Office, we have entered into a contract with A1 Towing. You may have seen the (green) signs posted in our entrances.



All towed vehicles will be automatically registered with the Sheriff’s Office. Within 30 minutes of towing, vehicle owners will be able to verify with the Sheriff’s Office database by calling the number (727) 536-5600. Towed vehicles will be stored at a facility in Port Richey.

This is the same towing company that services the Publix parking across the street from us (on Hudson Ave/Little Rd) and many other commercial areas and communities.

The towing company has a list of situations in which they can tow. Following is the list that (in their experience) may most likely come into effect in our community:

- Abandonment/inoperable vehicles
- Expired inspection or license plates
- Tractors, trailers, vessels, or large (over 13 tons) commercial vehicles parked on property
- Vehicles parked on grass, off pavement, or on landscaping
- Vehicle blocking a roadway, or street parking
- Vehicle is parked on the sidewalk

- No parking at any time. Vehicle is parked on property where it is posted “NO PARKING”

Please know that the HOA is not in the parking enforcement or in the towing business. Unfortunately, parking (and the related towing) is a hotly contested issue that easily draws emotional reactions. The HOA has a responsibility to try and find a balance. With this in mind, the HOA has chosen to take each situation on its own merit. No blanket approach. Everyone has a story. But with this approach we also know that not everyone will be pleased.

Please also know that parking enforcement, and especially towing, is only a tool. As with all code enforcement, a warning will always be presented first. Second or third incidents may lead to more serious consequences, including towing. If you need assistance, please ask. The best solution is for each and every community member to be considerate.

As with all policies and procedures, we welcome feedback. This policy is intended to help achieve and maintain our overriding objectives: To maintain, protect and enhance the value of our homes and the quality of our lives – it all starts with each and every homeowner. It all starts with you.

Please do not hesitate to reach out.

Thank you again for everyone’s support.

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