

Solicitors and Roadways Info

We are aware these are thorny issues and solicitors can cause all sorts of concerns.

It's best to split up this issue into a few separate categories:

1. Solicitation and trespassing are private property issues:
 - a. The CDD does not have jurisdiction unless such solicitation is taking place on CDD property (like the clubhouse).
 - b. Residents are encouraged to place the appropriate no-solicitation signage on their property to avoid solicitors on their property and call law enforcement to address any issues.
2. CDD Owned Roads are considered Public Roads:
 - a. You are correct that the CDD is considered a governmental entity as a matter of law and therefore it's property is considered public property
 - i. This also implicates First Amendment protections and limits what the CDD can do with respect to its property – but such limitation wouldn't apply once the solicitors are on a homeowner's property.
 - b. We also have additional limitations because these roads were funded with tax-exempt bonds and pursuant to the CDD's bond covenants (to comply with IRS and SEC regulations), the CDD must permit any member of the general public to use the roads during reasonable hours.
 - c. The CDD can permit no-solicitation signs to be placed at each entrance as a deterrent, but as long as the CDD bonds are outstanding (and actually 5 years after per the bond covenants) we are required to permit access to our roads for anyone during reasonable hours (similar to a school/library – there is not a reasonable expectation for people to be using the roads while most people are sleeping).
3. HCSO's ability/willingness to enforce (for example) parking restrictions within the community:
 - a. They are able to enforce traffic laws on privately-owned streets or CDD streets.
See: [Advisory Legal Opinion - Municipalities, traffic enforcement on private roads \(myfloridalegal.com\)](https://myfloridalegal.com/Advisory-Legal-Opinion-Municipalities-traffic-enforcement-on-private-roads)
 - b. You are correct that the County requires an Engineer to certify that the road signs and sometimes other traffic regulations (such as striping and line of sight requirements) are complied with prior to entering into a traffic enforcement jurisdiction agreement.
 - c. In my experience they usually don't have the necessary staffing, time, or willingness to enforce parking restrictions as part of their regular duties.
 - i. Sterling Hill does pay for off-duty officers (from the County and FHP) to do community patrols randomly throughout the week.
4. The entrance gates provide a unified aesthetic look and may serve as a deterrent of unwelcomed visitors, but the community is not considered a "privately gated community" in the traditional sense because of the above reasons. The CDD does not have police powers and cannot provide safety and security services for individual homes.