



Department of Engineering and
Public Works
Traffic Division
2300 N. Jog Rd.
Third Floor
West Palm Beach, FL 33411
(561) 684-4030
FAX: (561) 684-4050
www.pbcgov.com

TRAFFIC ENFORCEMENT AGREEMENTS WITH PRIVATE RESIDENTIAL COMMUNITIES INSTRUCTIONS/PROCEDURES

Florida State Statute 316.006, (3), (B) enables private residential Communities to enter into an agreement with Palm Beach County to provide for the enforcement of all traffic laws on the private roads within a Development. A standard Agreement can be found on the Traffic Division's website.

The execution of an Agreement for Enforcement of the Traffic Laws of the State (hereinafter Agreement) does not provide for Sheriff Deputies to be situated within a Development. Instead, it will allow deputies, **on routine patrol, the ability to enforce traffic laws when patrolling through the Development during normal patrol hours.**

If a Community wishes to have deputies stationed within their Development for Traffic Enforcement or security reasons, arrangements can be made to hire off-duty deputies. The hiring of off-duty deputies is NOT a requirement in obtaining an Agreement.

Please note: A "Community" is the legal entity, as listed with the Florida Department of State, Division of Corporations. A "Development" is the titled or otherwise commonly used name of the area owned by the Community and should not include "Homeowners Association" or "HOA".

The steps for obtaining an Agreement are as follows:

- 1) Obtain three (3) original, certified traffic surveys (hereinafter Exhibit A) by a licensed traffic consultant or engineering firm, which should include a:
 - a. map of the Development indicating placement of **all** traffic control devices (including but not limited to pavement markings, signs, speed humps, and traffic signals).
 - i. Include in the map, or separately, a listing of all traffic and regulatory signs with detailed descriptions (i.e. type of sign, mounting height, dimensions, assessment of the signs' reflectivity, and confirmation the post is a breakaway design);
 - ii. and a statement that state that all traffic and regulatory signs comply with Florida State Statutes and FDOT Standards, as set forth in the MUTCD; and that the speed limit(s) comply with Florida State Statutes;



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- b. and a discussion on the required pavement markings, addressing location and condition of pavement markings and confirmation the reflectivity and placement are in compliance with the MUTCD and Palm Beach County Typicals for Pavement Markings, Signing and Geometrics
- 2) Obtain three (3) original, signed, and notarized affidavits executed by the Communities' governing body, authorized agent(s) and/or property owner(s) stating that all roads within the Development are owned by or under its/their control (hereinafter Exhibit B). The Affidavit can only be executed by an authorized signatory whose information matches the Florida Department of State, Division of Corporations information, as found on Sunbiz.org.
- 3) Execute three (3) ORIGINALS of the Agreement that have been prepared and signed by the signatory as defined in Exhibit B. **LEAVE THE DATE ON PAGE 1 BLANK.** The three (3) ORIGINAL forms, along with three (3) of both Exhibit A and B, and a copy of the Communities' Certificate(s) of Insurance, should be mailed to:

Mary Brodbeck
Palm Beach County
Engineering & Public Works - Traffic Division
2300 N. Jog Rd.
West Palm Beach, FL 33411

Upon receipt, the Traffic Division will then review and forward to the Palm Beach County Sheriff's Office (PBSO), Contract Services Division, for inclusion of PBSO's Acknowledgement of Consultation (Exhibit C). The County may, at its discretion, require access into the Development to complete the review process.

The Agreement will then be presented to the Board of County Commissioners for approval and execution. Once executed by the Board, the Traffic Division will provide one (1) original to both the applicant and PBSO. One (1) original will be retained for Division files. The PBSO's Contract Services Division will forward notification for enforcement (via copies of agreement) to the appropriate divisions.

The entire process can take approximately 2-3 months to complete. If there are any questions, please contact Mary Brodbeck, Office Manager, at (561) 684-4030.