

SANDESTIN OWNERS ASSOCIATION, INC.
GOLF CART OPERATION RULE

SOA Board approved November, 2006

WHEREAS Sandestin Golf & Beach Resort is a mixed community, combining residential with commercial activities, and continues to grow in population, both permanent and transient, and in an effort to promote and enhance the safety aspects of living in and visiting the property for the best interests of all concerned; and

WHEREAS Article III, Section 1 of the Sandestin Declaration of Covenants, Conditions & Restrictions requires every property owner at Sandestin to be a member of the Sandestin Owners Association, Inc. (SOA); and

WHEREAS Article VI of the Articles of Incorporation of Sandestin Owners Association, Inc. provides that the affairs of the Association shall be managed by a Board of Directors; and

WHEREAS Article VI 1.(d) of the By-Laws of Sandestin Owners Association, Inc. expressly authorizes the SOA Board & to adopt and publish rules and regulations governing the use of the Common Area or Common Roads or any parcels thereof and the personal conduct of the members and their guests thereon; and

WHEREAS Article IV, Section 4 d. & e. of the Sandestin Declaration of Covenants, Conditions, & Restrictions gives the Association the right to adopt reasonable rules and regulations pertaining to the use of Common Properties and any facilities included therein and the right to control and regulate all types of traffic on the Common Roads by traffic or vehicles which would or might result in damage to Common Roads or pavement; and

WHEREAS, Article IV, Section 4 c. of the Sandestin Declaration of Covenants, Conditions & Restrictions gives the Association the right to suspend the rights and easements of enjoyment of any member, lessee or guest of any member for any period, not to exceed sixty (60) days, for any of its published rules and regulations; and

WHEREAS, Article IX, Section 1 of the By-Laws of Sandestin Owner Association, Inc. authorizes the SOA board to appoint such committees as it deems desirable;

ACCORDINGLY, in order for the Board to provide safety and protection for pedestrians, children, bicyclists, golfers, joggers and drivers on the roadway through Sandestin, this rule is hereby adopted and provides:

1. Definition

A golf cart shall be defined as a battery powered or gasoline powered, motorized vehicle, used for transporting persons, golfers and their equipment, with a designated seat for each passenger. Additionally, carts must be fully operational in good working condition, and not manufactured, altered or decorated in an unusual manner. The Sandestin Owners Association Executive Director has the authority to approve any unusual designs. The Sandestin Owners Association, Inc. board of directors must grant any variance to this section.

2. Registration

- A. All authorized carts must be registered with SECURITY, who will issue an identifying decal to be placed on the left rear bumper of the cart.

- B. Evidence of liability insurance coverage must also be provided to SECURITY at the time of registration. If no proof of insurance is presented, owner must sign a notice of liability and will assume all responsibility for any damages that are caused by the operator. Any operation without registration decal constitutes a violation of this rule and may be subject to the fines set forth in paragraph 4.
- C. If ownership is transferred between homeowners, the new owner shall be required to contact SECURITY to provide insurance information and obtain a new decal so ownership may be updated in the database.

3. Limits of Operation

- A. All golf carts will be driven on the SOA common roadways and not operated on any sidewalk or path that is not specifically designated for such with the exception of the tunnel access.
- B. All carts shall respect all traffic control devices, and operators will be subject to the fines set forth in this rule.
- C. While operating on the common roadways, limited private areas, parcels or any other part of the property, drivers must be at least 16 years of age and have in their possession a valid automobile operating license.
- D. Golf Carts operated from dusk until dawn will be equipped with headlights and tail lights.
- E. All persons are required to be seated in an installed seat specifically designed for such during the operation of the cart and are not permitted to stand up or be seated upon the body or frame work.
- F. Alcoholic beverages are not to be consumed by any person during the operation of the cart. Operation of the cart while under the influence of intoxicants is prohibited and may be subject to prosecution pursuant to Chapter 316.193 of the Florida Statutes.

4. Rental golf carts

- A. A rental golf cart shall be defined as a golf cart offered for rent by ANY vendor whose sole purpose for the rental is to generate revenue.
- B. Rights to rent golf carts on Sandestin property will be retained by the DECLARENT. DECLARENT will ensure all rentals comply with this rule.
- C. Golf Cart rental companies (vendors) outside the property shall be approved by the Sandestin Owners Association. Vendors will be provided rules and regulations in accordance with this document and will ensure all customers are informed of its existence. Any vendor who fails to comply shall have their rights to lease on the property revoked. Golf carts rented for approved special events, or those rented specifically to assist the handicapped, or those rented during repair or maintenance of a previously registered cart shall be exempt.

5. Penalties

In the event that SECURITY encounters a violation of the Rules set forth in Paragraphs 1 through 4, it may at its discretion issue a traffic citation. For the first offense, a warning will be issued to the operator and the owner of the cart. Subsequent offenses will be subject to a \$20 fine and persistent violations may include revocation of cart privileges.

- 6. The SOA will review the GOLF CART OPERATION RULE annually to ensure that they meet the changing needs of the community.