

SANDESTIN OWNERS ASSOCIATION, INC.
GOLF CART OPERATION POLICY AND RULES

Original Effective Date: 8/1/2009

Rev. 15 SOA Board Approved 12/17/2020

WARNING: GOLF CARTS ARE INHERENTLY DANGEROUS TO OPERATE, ESPECIALLY ON ROADS SUCH AS THOSE IN SANDESTIN, WHICH ARE USED FOR GENERAL TRAFFIC AND THE USE OF VEHICLES WEIGHING THOUSANDS OF POUNDS.

WHEREAS Sandestin Golf and Beach Resort is a mixed community, combining residential with commercial activities, and continues to grow in population, both permanent and transient; 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 violation of its published rules and regulations; and

THEREFORE in an effort to promote the safety aspects of operating a golf cart and enhance the safety of those living and visiting the Property and for the best interest of all concerned, this policy is hereby adopted and set forth upon approval of the Board of Directors

ACCORDINGLY,

1. Definitions

- A. "Golf Cart" shall be defined as a battery or gasoline powered, motorized 4-wheel vehicle as defined herein, used for transporting persons, or equipment. For purposes of this policy, "Golf Cart" shall also include any other low speed vehicle.
- B. "Property" is defined as any part of the Sandestin community, including but not limited to the resort roads, sidewalks, private property, common property, limited common property or commercial property.
- C. "Grandfathered" shall mean those carts that are and have been owned by the original cart owner of record on August 1, 2009.

2. Registration

- A. All golf carts must be registered with the Sandestin Owners Association (SOA). An inspection is required for all newly purchased or acquired carts. This includes carts that are sold, traded or otherwise acquired amongst SOA members. The SOA will issue decals upon initial registration and renewal, which must be placed on the left side front and rear bumper or fender if appropriate, of the golf cart and must be clearly visible. If this decal becomes damaged or unreadable, the owner must obtain a new decal before continuing to use the golf cart on the Property. Along with the registration decals, the SOA will issue a sticker listing several of the safety rules. This sticker must be affixed on the inside of the golf cart in a conspicuous location plainly visible by the driver. This excludes golf carts used on the golf courses and service vehicles owned by the Sandestin Golf and Beach Resort or other commercial entities as approved by the Executive Director, but this does not exclude Baytowne Marina golf carts.
- B. The SOA Executive Director shall have the authority to disapprove any golf cart designs inconsistent with standard design guidelines. The SOA Board of Directors shall have the authority to grant any variance from the Golf Cart Policy.

- C. Registration renewal is required every 3 years, *(beginning after the renewal of 2015)* and SOA reserves the right to inspect carts during renewal to ensure continued compliance with these Rules. Any cart that has been altered and is deemed outside the specifications herein will not be renewed.
- D. An owner is not eligible to register or operate a golf cart if the owner is delinquent in any SOA dues, fines, liens or assessments.
- E. Each homeowner will be limited to 2 registered golf carts, regardless of the number of RDU's owned by that member. Units owned by an LLC are limited to 2 registered golf carts and must be registered in the name of listed agent of the LLC. Baytowne Marina will be allowed a maximum of 12 registered golf carts. Osprey Point LLC will be allowed to have 38 carts registered to specific units at Osprey Point at Sandestin. Sandestin Investments will be allowed to have 54 carts registered to specific units at Bayside Inn at Sandestin.
- F. Commercial Lodging members will be limited to 2 registered golf carts per business unit. These carts may be used for transportation purposes within the property and are subject to all the requirements of this rule, except the carts may have 4 rows of seating. For the purpose of clarification, Commercial Lodging members are, but not limited to: Sandestin Investments, Embarc, Bay Club I, Bay Club II, and the Hilton Hotel. The use of these carts is restricted to Commercial Lodging member staff only and carts are not to be driven, or rented by guests.
- G. At the time of registration, the owner shall produce proof of insurance coverage that identifies the cart that is being registered.
- H. Owners who have a golf cart lease with a minimum lease term of 6 months may register a golf cart. Renters, who rent a residence for a remaining term of six months or more, may register a golf cart. The unit owner or renter must provide SOA a copy of the golf cart lease and proof of insurance at the time of registration, and if applicable, a copy of the residential lease. The cart must meet all other guidelines as set forth in this policy.
- I. Any operation of the golf cart without the proper registration decals or rule sticker constitutes a violation of rule 2.A and the cart owner will be subject to the fines set forth herein.
- J. If ownership of the golf cart is transferred between homeowners, the new owner shall contact the SOA immediately to provide proof of insurance and the new owner shall obtain a new inspection and if approved, a decal. Golf cart must be in compliance with this policy in order to be re-registered.
- K. By registering the golf cart, the registered owner of the cart assumes all responsibility for any fines or damages incurred as a result of any operator violating any rule as set forth in this policy or any other SOA Traffic and Safety Policies.
- L. At the time of registration, the SOA will provide the registered homeowner with copies of all related documents pertaining to these rules. The SOA will require the owner to sign an acknowledgement stating that he/she received a copy of the rules and will comply.
- M. Long Term Marina Slip Lessees with at least 6 months remaining on their marina slip lease may register a golf cart, for a fee of \$50.00 per calendar month, which is payable only on an annual basis. The Marina Slip Lessee shall provide SOA a copy of the marina lease, proof of insurance, and proof of golf cart ownership or lease. Long Term Marina Slip Lessees shall comply with all other requirements of this policy.
- N. All persons or entities that register a golf cart shall be required to execute an Acknowledgement and Hold Harmless Agreement in the form provided by the SOA.

3. Limits of Operation

- A. Rental golf carts on the resort are prohibited, except for no more than 12 carts owned by Baytowne Marina for the use of short-term (less than six months) boat slip occupants.
- B. Only golf carts owned or leased long term by SOA homeowners or long-term renters, and Marina slip renters (as defined in paragraph 2M) may be operated on the Property.
- C. Gas powered golf carts are prohibited, except for those permitted in section 1C, 2A, and 2F of this policy.
- D. Golf carts must be in good working condition.
- E. Golf carts must not be manufactured, altered or decorated in a manner inconsistent with standard model and safety design guidelines.
- F. All golf carts acquired or purchased after August 1, 2009 must meet approved model and design guidelines, photographs of which are available at the SOA office or on the SOA website. For information regarding other types of vehicles, refer to the SOA Traffic Enforcement Rule.
- G. Golf carts may be driven only on the SOA common roadways and may not be operated on any sidewalk or path that is not specifically designated for such, with the exception of the Highway 98 tunnel and its access points.
- H. All golf cart operators shall abide by all traffic control devices.

- I. While operating on the Property, drivers must be at least 16 years of age and have in their possession a valid automobile operating license.
- J. Golf carts must be equipped with a windshield, operable brakes, headlights, brake lights, reliable steering wheel, safe tires, and a rear view mirror. Golf cart floor surface height where the driver or passenger's feet rest shall not exceed 15" from the ground. Golf carts acquired or purchased from the original effective date of this policy and thereafter must meet these requirements in order to be registered and permissible on the Property.
- K. The number of passengers per cart must not exceed the passenger limit and load capacity designated by the vehicle's manufacturer. All persons are required to be seated in an installed seat specifically designed for such, during the operation of the golf cart and are not permitted to stand up or be seated upon the body or frame work. The golf cart cannot exceed 3 rows of seats except for those permitted under 2.F.
- L. Operation of the golf cart while under the influence of intoxicants is prohibited and may be subject to prosecution pursuant to Chapter 316.193 of the Florida Statutes.
- M. **INFANTS AND SMALL CHILDREN ARE ESPECIALLY AT RISK AND SHOULD BE SECURED AT ALL TIMES BY ANOTHER GOLF CART PASSENGER AGE 16 OR OLDER. THE DRIVER MAY NOT HOLD A CHILD OR INFANT WHILE OPERATING A CART. PLEASE NOTE THAT IN GENERAL MOST GOLF CART MANUFACTURERS DO NOT RECOMMEND THE USE OF SEAT BELTS OR TRADITIONAL CAR SEATS FOR CHILDREN AND ESPECIALLY INFANTS. DRIVERS NEED TO BE FULLY AWARE OF THE MANY SAFETY RISKS TO CHILDREN WHILE OPERATING GOLF CARTS.**
- N. The driver may not hold an animal or an object in a manner that impairs vision or ability to safely operate.
- O. Golf carts should always be parked in designated parking spaces and golf cart approved spaces when available. In addition to this policy, individual neighborhood associations may have their own golf cart rules. Owners must check with their respective neighborhood association for information regarding golf cart rules such as facilities for parking and charging.
- P. No golf cart shall transport baggage, coolers, or other objects on the roof or any other portion of the golf cart without a designated rack designed for that purpose, or without objects being adequately secured to the cart.

4. Penalties and Fine Schedule

- A. Any violation of the above rules shall result in the review and possible revocation of the owner's golf cart privileges.
- B. In the event that a Security Officer encounters a violation of the Rules set forth in Sections 1 through 3, that Security Officer may address the violation and at their discretion issue a traffic citation. Subsequent offenses resulting in three citations within a one year period, may result in the revocation of the owner's golf cart privileges for up to one year.
- C. This rule supersedes any previous golf cart rule including any previously established fines.
- D. Any fines not paid will result in the revocation of the owner's golf cart privileges.

Fines are as follows

- Operating a golf cart on property without a decal or with an expired registration decal - \$100.00
- Any equipment violation covered under section 3.J - \$100.00
- Driving a golf cart on unapproved paths, sidewalks, landscape or restricted areas - \$100.00
- Transporting baggage, coolers, or other objects on roof or other portion of the golf cart without a designated rack designed for that purpose; this section includes service vehicles operated by any commercial entity - \$100.00
- Exceeding the maximum capacity of the golf cart, standing or riding on the golf cart framework, or overloading golf cart while in operation – \$100.00
- Underage children operating a golf cart - \$100.00
- Transporting infants or small children improperly (i.e. the driver is holding the child or a minor is holding the child, or the child is unsecured in a seat and their feet can't reach the ground) – \$100.00
- Holding any animal in the driver's lap as such activity may hamper the driver's ability to safely operate the cart - \$100.00
- Violating the approved Traffic Rules on Sandestin roads – Fines based on Traffic Rule fine schedules.
- Towing or dragging a wagon, cart, bicycle or skateboard whether occupied or unoccupied is prohibited - \$100.00
- Racing or other activities that could pose a hazard to the driver, occupants, others, or property - \$100.00
- Violation of section 3.A thru 3.P - \$100 for the 1st offense, and subsequent offenses will be subject to the revocation of golf cart privileges.

5. Right to appeal

- A. All owners have the right to appeal any provision of this policy, other than fines or suspension of privileges, to the SOA Traffic and Safety Committee. Appeals must be submitted in writing within 30 days, to the SOA office and must include the following:
 - Owner's name and address;
 - Basis of the appeal; and
 - Citation number or date of citation, if applicable.
- B. All fines or suspensions may be appealed to the Grievance Committee upon written notification to the SOA within 30 days of the fine or suspension notice being received. The Violator will be notified of the next Grievance Committee hearing following the date of the written appeal notice.

6. Golf Cart Regulations – Updates and Amendments

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