



Heritage Hills Homeowners Association

Golf Cart Policy

2013

The Board of Directors of the Heritage Hills Homeowners Association (the Association”), pursuant to its rule-making authority under Section 8.15 of the Association’s Declaration, hereby adopts this Golf Cart Policy, to be effective on January 1, 2013. This Policy shall be part of the Association’s rules and regulations. In the event of a conflict between the terms of this Policy and the terms of other Association rules and regulations, the terms of this Policy shall apply.

POLICY STATEMENT:

In an effort to allow the use of golf carts within Heritage Hills while attempting to promote safety within the community, the following policy has been established for all Owners who operate golf carts within the Association’s community. While the Association does not advocate or endorse the operation of golf carts on its streets, it will, however, permit the use of golf carts on the private streets owned by the Association in accordance with this Policy. Compliance with this policy does not guarantee compliance with local, state or federal law and Owners are advised to investigate all other applicable laws or regulations.

In order to assist in providing safety for everyone in the neighborhood the following registration requirements and rules have been established. Anyone operating a golf cart must be observant of, and attentive to, the safety of themselves and others including their passengers, other motorists, bicyclists, and pedestrians. Everyone who operates or rides in golf carts on the streets within Heritage Hills does so at their own risk. The neighborhood assumes no liability for permitting carts to be operated on the streets.

REGISTRATION:

1. A registration form and a release of liability and indemnification agreement (the “Registration Form”) must be completed by each Owner who intends to use a golf cart on the private streets within the Association’s community. Only Owners of record of property within the Association’s community shall be entitled to register a golf cart in accordance with this Policy.
2. Upon receipt of the completed Registration Form and compliance with the requirements of this Policy, each registered cart will be issued two reflective numbered stickers which must be permanently affixed to the sides of the body of the cart, centered in the general area beneath the driver's seat. These stickers must be prominently displayed on the cart at all times. All requests for replacement stickers must also adhere to these rules regarding the placement of stickers on the carts.
3. A one-time \$ 50.00 registration fee must be paid by the Owner to cover sticker costs and any ongoing registration and administrative costs. Any additional future administrative costs encountered and determined by the Association’s Board of Directors to be relative to authorized golf cart operation will be borne equally by all registered golf cart Owners.
4. At the time of registration, the Owner must provide a certificate of insurance establishing that the operation of the golf cart is covered by a liability insurance policy with a combined single limit of at least \$100,000 per occurrence for bodily personal injury, including death and property damage coverage. The Association shall be named as an additional insured on any policy. The policy shall provide that the Association shall be given at least thirty (30) days notice prior to the non-renewal, lapse, cancellation, or termination of the

policy. Additionally, by completing the Registration Form, the Owner covenants and agrees to maintain this coverage as long as the golf cart is operated in Heritage Hills.

5. Registration and inspection may be handled by the Heritage Hills Homeowners Association on dates, times, and locations to be determined by the Board. All registrations and inspections shall be coordinated and scheduled through the Association's Managing Agent.
6. The registered Owner shall be responsible for all loss, damage, injury, claims or other liability resulting from the use of the golf cart within the Association's community, regardless of who may be operating the golf cart at the time the damage, loss or injury occurs

RULES:

1. Existing Golf Carts must be registered within 30 days of the date of this Policy. If there is a conflict a later date may be arranged with the Association's Managing Agent. All other carts must be registered within 30 days of obtaining the cart.
2. Drivers must have a valid driver's license or driver's permit valid in the State of Colorado.
3. Golf carts will adhere to the same driving and parking rules and laws as automobiles. Additionally, golf carts may also park in any future designated golf cart parking spaces.
4. Driving or parking on sidewalks or grassy areas is prohibited.
5. Golf carts may only be driven between dawn and dusk unless equipped with headlights and brake lights in operating condition.
6. Drivers must pull over and yield to passing vehicles.
7. All passengers must be properly seated while cart is in motion and may not be transported in a negligent manner or in a manner inconsistent with the cart manufacturer's recommendations. The number of passengers shall not exceed the seating capacity of the cart, including the driver.

ENFORCEMENT:

1. Any violation of this Policy should be reported to the Association's managing agent. Any resident may report a violation to the managing agent or any Association Board Member in writing. The complaint should have as much identifying information as is possible, including but not limited to the identity of the party violating the Policy, the cart registration number, the date, time, and approximate location of the incident, and a detailed description of the alleged violation.
2. Any act constituting a violation of this Policy may result in a fine of \$100.00. A second violation may result in a fine of \$250.00. A third violation may result in a fine of \$ 500.00 and revocation of the registration to operate the golf cart in the Association's community. Any additional violations may result in a fine of \$1000.00 and legal action. Any threat to safety may result in immediate legal action.
3. All reported violations will be reviewed by the Association's Board of Directors to determine if the report of a violation is valid before any action is taken.
4. Prior to levying any fines in accordance with this Policy, the affected Owner shall be given notice and an opportunity for a hearing before the Board of Directors.
5. The golf cart registration forms will be maintained by the Association management company.