

### **Unlicensed Recreation Vehicles (ATV's, Utility Vehicles, Go-Carts & Golf Carts)**

The Board of Directors of the Scenic Oaks Property Owners' Association (S.O.P.O.A.) has found that there are unlicensed ATV's (all terrain vehicles), Utility Vehicles, Golf Carts and Go-Carts being operated on the private streets of the subdivision by unlicensed minor drivers, some in a noisy, unsafe manner. With the purpose of allowing safer, less disturbing operation of these vehicles on the private streets of the area, it has approved controls applicable to the above mentioned vehicles, whether of the two, three, or four-wheel variety. All ATV's, Utility Vehicles, Go-Carts and Golf Carts are banned from the streets of Scenic Oaks unless they and their owners comply with the following:

1. While being operated, such vehicles must display a distinctive flag at the top of a flexible antennae-type pole. These must be obtained from the Scenic Oaks Property Owners Association. The first flag is free. A replacement flag costs \$15.00.
2. The adult owner of each such vehicle and a parent of each minor rider, shall hold harmless and indemnify the S.O.P.O.A., on a form provided by it, from any damages or causes of action resulting from operation of such vehicle on the streets of the subdivision.
3. Such vehicles shall not be operated prior to 9 o'clock a.m. on any day, and the engine shall utilize a muffler capable of keeping the vehicle from creating a noise exceeding that of an ordinary lawnmower.
4. Every minor driver or rider on such vehicle shall wear a protective helmet. There shall be no more than one minor person riding on any such vehicle unless it is designed for more than one person.
5. Each such vehicle shall not be operated at a speed in excess of twenty (20) miles per hour.
6. Such vehicles shall not be operated so as to trespass. Operation off the owner's property must be limited to paved streets only.
7. Such vehicles shall be operated in daylight only.
8. It is recommended that all minor operators take and pass a training course prior to operating such vehicles, and that no person under the age of twelve (12) operate the same.

For violations of these controls, the first offense shall carry a warning, the second offense a fine of the owner of the vehicle of \$25.00; succeeding offenses shall result in fines, which double the previous offense. Whether an offense has been committed shall be determined by the majority vote of a quorum of the Directors of S.O.P.O.A. after notice to the vehicle owner that a hearing will be held, and an opportunity to be heard.

All previous action by the Board of Directors of S.O.P.O.A. on this subject is rescinded.

These controls shall become effective August 10, 2009.