

## NATURE TRAIL TRAFFIC CONTROL POLICY AND RULES

The goal of the Nature Trail Traffic Control Policy and Rules is to provide a safe environment within the community. In consideration of and subject to Title XXIII, Chapter 316 of the State of Florida Uniform Traffic Control (FUTC) and in accordance with the Nature Trail Homeowners Association, Inc. (NT HOA) Declaration of Covenants and Restrictions, the following Traffic Controls are hereby adopted and set forth:

### 1) Jurisdiction.

- A. The NT HOA Board of Directors shall have authority over all parts of the Nature Trail Community including, but not limited to: roadways, sidewalks, walking and cycling paths, parking lots, private or common property, or other areas belonging to the NT HOA for the purpose of vehicle and pedestrian Traffic Control, Operation, and Safety.
- B. The NT HOA Board of Directors may elect to have state traffic laws enforced by local law enforcement agencies on all and or all portions of the properties associated with the NT HOA AND NTC.

### 2) Safe Vehicle Operation and Registration.

- A. Vehicle Definition: A Vehicle shall include any vehicle operated on the roadway or other areas that is motorized or non-motorized to include, but is not limited to: cars, trucks, motorcycles, mopeds, mini-bikes, and golf carts. All persons shall drive their vehicle on roadways within Nature Trail in a manner that is reasonable and prudent and with regard to the actual and potential hazards existing at that time. In every event, the operation of any vehicle shall be controlled to avoid colliding with any person, vehicle, or other conveyance or object on or entering the roadway in compliance with legal requirements. It is the responsibility of all persons to use due care and judgment.
- B. All motor vehicles operated within the community by a resident of Nature Trail must be registered with the NT HOA through an application provided by the Management Company.
  - i. Registration shall include: the make, model, and license plate number, the names of any operators residing within Nature Trail, and an emergency contact phone number.
  - ii. Registration information shall remain confidential. It may only be shared with the NT HOA Board of Directors, Management Company, Nature Trail Customer Engagement Specialist (CES) or local law enforcement as required.
  - iii. All vehicles must visibly display a NT HOA issued registration decal on the front left side of the windshield. Any vehicle not properly displaying a NT HOA vehicle decal will be subject to a \$100.00 fine.

### **Traffic Violations.**

- A. The **maximum** speed limit for all vehicles operating on roadways within Nature Trail is 23 miles per hour.
  - i. Driving in excess of 23 miles per hour constitutes speeding.
  - ii. All posted speed controls, warnings, and signage are to be adhered to at all times.
  
- B. The driver of every vehicle shall, consistent with the requirements of subsection (1), drive at an appropriately reduced speed when:
  - i. Approaching and crossing an intersection;
  - ii. Approaching and going around a curve;
  - iii. Approaching a hill crest;
  - iv. Traveling upon any narrow portion of the roadway; and
  - v. Any special hazard exists with respect to pedestrians or other traffic or by reason of weather or roadway conditions.
  
- C. No person shall drive a vehicle in a manner as to impede or block the normal and reasonable movement of traffic, except when reduced speed is necessary for safe operation or in compliance with policy or law.
  
- D. Any person cited for traffic violations shall be subject to the Traffic Control Violation Schedule (TCVS).

### **3) Parking Violations.**

- A. Except as otherwise provided in this section, every vehicle stopped or parked upon any roadway within Nature Trail shall be stopped or parked with the right-hand wheels parallel to and within 12 inches of the right-hand curb or edge of the roadway. Vehicles shall not be parked against the normal flow of traffic at any time.
  
- B. Parking a motor vehicle on or blocking a sidewalk, median, or a common area not authorized for motor vehicles is a violation of this section.
  
- C. Parking behind or blocking a driveway or parking in such a manner as to interfere with the normal use of a driveway, sidewalk, parking lot, or intersection is a violation of this section.
  
- D. Parking within 20 feet of any mailbox upon any roadway within Nature Trail between 8 a.m. and 6 p.m. is a violation of this section.
  
- E. Residents shall be responsible for their guest's (including vendors or contractors) vehicles as it applies to this section. Guests shall park on the same side of the roadway

- immediately adjacent to the home owner's residence, and in a manner so as not to interfere with the normal flow of traffic or emergency vehicle access.
- F. Vehicles belonging to residents shall not be parked on any roadway within Nature Trail overnight.
  - G. Fines: Any person cited for a parking or other Nature Trail Traffic Control Policy and Rules violation is subject to the TCVS in addition to fines described under this section;
    - i. First violation per vehicle: \$50
    - ii. Second and subsequent violations per vehicle: \$100 fine and loss of driving access through resident's gate and rear gate for up to 180 days. Violators may request a hearing before the NT HOA Board of Directors or their designees to contest the violation if they provide a written request to the HOA VIA certified mail within 10 calendar days of the violation date. Chronic/repeated violations may lead to restricted driving privileges within Nature Trail.

## 5) Golf Cart Operation.

- A. Golf Cart Definition: A golf cart shall be defined as an electric or gasoline powered motorized four-wheel vehicle as defined herein, used for transporting persons, or equipment.
- B. All golf carts must be registered and compliant as defined in section (2). The cart must be inspected at the Lodge by a representative of the NT HOA or Management Company in order to receive a registration decal. Once approved for operation, the owner will be provided a registration decal which must be placed in a visible location on the golf cart. The owner must obtain a new decal if it becomes damaged or unreadable before continuing to use the golf cart on Nature Trail property.
- C. A golf cart is not eligible for registration or operation if the property owner or residing party at the residence of registration is delinquent in any NT HOA dues, fines, liens, or assessments.
- D. Golf cart registration will be invalidated and operation will be restricted if the property owner or residing party at the residence of registration is delinquent in any NT HOA dues, fines, liens, or assessments.
- E. Each residence will be limited to one (1) registered golf cart.
- F. The registrant must produce a valid driver's license and proof of insurance coverage that identifies the cart that is being registered.
- G. Transfer of ownership of the golf cart shall be reported to the NT HOA within five business days. A new owner residing within the community shall re-register the golf

cart as defined in this section to include proof of insurance, inspection, and the receipt of a new decal prior to operation.

- H. The registrant assumes all responsibility for the safe operation of the golf cart at all times and is subject to any fines or damages incurred as a result of any operator violating the Nature Trail Traffic Control Policy and Rules.
- I. It is the responsibility of the registered owner to understand and adhere to the registration and traffic control policies.
- J. All persons or entities that register a golf cart shall be required to execute an Acknowledgement and Hold Harmless Agreement provided by the NT HOA.
- K. Limits of Operation:
  - i. **GOLF CART OPERATORS MUST BE AT LEAST 16 YEARS OF AGE AND HAVE IN THEIR POSSESSION A VALID AUTOMOBILE OPERATING LICENSE and Proof of Liability Insurance.**
  - ii. Only golf carts registered by Nature Trail residents shall be operated on the property;
  - iii. Golf Carts must be mechanically safe and in good working condition;
  - iv. Golf Carts can only be operated on roadways within the community and may not be operated on any sidewalk, trail or path that is not specifically designated for golf cart use;
  - v. Golf Cart operators shall abide by all traffic control devices, policies, and rules and are subject to the TCVS;
  - vi. Golf Carts must be equipped with operating brakes, headlights, illuminated tail lights, reliable steering wheel, safe tires, and a rear view mirror;
  - vii. The number of passengers must not exceed the golf cart passenger limit and load capacity designated by the vehicle 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 framework;
  - viii. 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 FUTC. Section 4(A)(ii) shall apply. The ECSO will be contacted by CES involving any incident where driving under the influence is suspected;
  - ix. Infants and small children must be properly secured at all times. An infant or child under the age of five may be seated on the lap of a passenger age 16 or older during the operation of a golf cart, but must be under the control of that passenger. A passenger may not be seated on the lap of the golf cart driver at any time while the golf cart is in operation;
  - x. The driver may not hold an animal at any time while the golf cart is in operation;

- xi. The driver may not hold any object of any kind that could impair operation of the golf cart;
- xii. Drivers need to be fully aware of the many safety risks and distractions during the operation of a golf cart.

L. Penalties:

- i. Any operation of the golf cart without the proper registration decals constitutes a violation of the Nature Trail Traffic Control Policy and Rules;
- ii. Any accident resulting from the violation of the Nature Trail Traffic Control Policy and Rules will result in the review and possible revocation of the golf cart decal and the registrant's golf cart privileges;
- iii. This section supersedes any previous golf cart rules including previously established fines;
- iv. Any fines not paid will result in the revocation of the golf cart decal and the registrant's golf cart privileges.

M. Fines: Any person cited for a golf cart or other Nature Trail Traffic Control Policy and Rules violation is subject to the TCVS in addition to fines described under this section;

- i. Operating a golf cart on property without a decal or with an expired owner decal - \$100.00;
- ii. Any equipment violation covered under section (K) - \$100.00;
- iii. Driving a golf cart on unapproved paths, sidewalks, landscape, conservancy trails, or restricted areas – Loss of Golf cart driving privileges on Nature Trail property;
- iv. Transporting baggage, coolers, other objects on the roof or other portion of the golf cart without a designated rack and tie downs for that purpose; this section includes vendor or service vehicles operated by commercial entities - \$100.00;
- v. Exceeding the maximum weight or passenger capacity of the golf cart, standing or riding on the golf cart framework, or not being properly seated while the golf cart is in operation - \$100.00;
- vi. Under-aged children or unlicensed adult operating the golf cart - \$100.00 plus a 60-day suspension of the use of the golf cart use by any party;
- vii. Transporting infants or small children improperly (i.e. the driver or a passenger under the age of 16 is holding the child, the child is unsecured in a seat and their feet cannot reach floor board) - \$100.00 and a 90-day suspension of the use of the golf cart by any party;
- viii. Operating the golf cart while holding an animal or object - \$100.00;
- ix. Towing or dragging a wagon, cart, bicycle, skateboard or other unoccupied apparatus is prohibited - \$100.00;
- x. Towing or dragging a wagon, cart, bicycle, skateboard, or other occupied apparatus is prohibited - \$100.00 and a 90-day suspension of the use of the golf cart by any party in Nature Trail;

- xi. Racing or other activities that could pose a hazard to the driver, occupants, pedestrians, others, or property - \$100.00 and permanent revocation of the use of the golf cart by any party in Nature Trail
  
- N. Violation of (M)(i) through (M)(x) - \$100.00 for the first offense. Subsequent offenses will be subject to the revocation of the golf cart privileges. Violators may request a hearing before the NT HOA Board of Directors or their designees to contest the violation if they provide a written request to the HOA VIA certified mail within 10 calendar days of the violation date. Chronic/repeated violations may lead to restricted driving privileges within Nature Trail.

#### 6) Traffic Control Violation Schedule (TCVS).

Traffic Control violations will be enforced by the NT HOA Board or their designees based on eye witness reports, CES monitoring, radar devices, and other traffic monitoring devices, and supported by local law enforcement officers for investigation. Property owners associated with the violation are ultimately responsible for the actions of their guests/contractors/tenants, etc. and will receive written notification of a violation of this section regarding the incident regardless if they are the party operating the vehicle.

- A. First Violation per residence: Letter of Warning
  
- B. Second Violation per residence within one calendar year: \$100 fine
  
- C. Third Violation per residence within one calendar year: \$100 fine and 180-day revocation of driving access thru rear gate and resident gate access at front gate. Will be required to enter thru visitor gate only.
  
- D. Fourth Violation per residence within one calendar year: \$100 fine and permanent revocation of driving access thru rear gate and resident gate access at front gate. Will be required to enter thru visitor gate only and mandatory hearing before the NT HOA Board of Directors or their designees, which may lead to further restricted use of amenities within Nature Trail.
  
- E. Minor children or other relatives residing or visiting a resident will be held to the same standard as a property owner. The property owner will ultimately be held responsible for citations, penalties, and/or fines issued to these parties.
  
- F. Guests, contractors, or any other vendor violating Traffic Control Policy and Rules will be held accountable for fines and other damages associated with a failure to adhere to these sections. Penalties for 3 or more violations or a failure to pay fines may include

- restricted access to the community at the NT HOA Board of Directors or their designees' discretion.
- G. Any operator cited for Traffic Control Policy and Rules violation may file a written appeal to the NT HOA Board of Directors or their designees providing their account of the incident and present their case at the next regularly scheduled NT HOA Board of Directors meeting. A written notification of appeal must be received by the NT HOA Board of Directors or their designees within 10 calendar days of receipt of the citation.
  - H. A violation of these sections is a noncriminal traffic control infraction as it relates to the rules, regulations, covenants, and all other restrictions enforced within Nature Trail. Incidents that are determined to be serious or repetitive in nature will be reported to the ECSO for further investigation and/or prosecution.