

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

*Original Effective Date: 8/1/2009*

*Rev. 20 SOA Board Approved October 26, 2023*

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" or "Cart" as used herein means 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 Fees

- A. Effective with the 2024 renewal period, there will be a registration fee of \$100.00 for each cart registered. The \$100 fee will apply for the 2-year validation of the registration decal assigned to the cart being registered. During the second year of the registration period, the fee will be \$50 per cart. The fees are not transferrable and will be due when registering a newly purchased or acquired cart. Decals are not transferrable to newly purchased or acquired carts as each must complete the registration process as described below herein.

3. Registration Requirements

- A. All golf carts must be registered with the Sandestin Owners Association (SOA). An inspection and registration is required for all newly purchased or acquired carts. This includes carts that are sold, traded, or otherwise acquired by and between 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.

- B. Exemptions: Golf carts used on the golf courses by Sandestin Golf and Beach Resort and service vehicles owned by the Sandestin Golf and Beach Resort or other commercial entities as approved by the SOA Executive Director are exempt from registration and renewal. This does not include Baytowne Marina golf carts.
- C. The SOA Executive Director shall have the authority to deny registration of 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, upon a formal request.
- D. Registration renewal is required every 2 years, beginning after the renewal of 2022. The 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.
- E. An owner is not eligible to register a golf cart if the owner is delinquent in any SOA dues, fines, liens or assessments.
- F. Each member will be limited to 2 registered golf carts, regardless of the number of residential dwelling units owned by that member. Units owned by an LLC, Trust, Estate or other similar entities may register 2 carts, unless the person requesting to register the cart already has 2 carts registered in their name at another Sandestin Property. Baytowne Marina will be allowed a maximum of 12 registered golf carts. Osprey Point LLC will be allowed a maximum of 38 carts registered to specific units at Osprey Point at Sandestin. Sandestin Investments will be allowed a maximum of 54 carts registered to specific units at Bayside Inn at Sandestin. Additionally, the following parking restrictions may apply.
  - 1. When requested by the SOA, each owner must provide proof that their Condominium or Homeowners Association has available parking for a cart to be registered. Such proof shall be a form issued by the SOA and executed by a designated representative of that Association.
  - 2. If an owner has a lease for, or is provided a golf cart parking space that is not in the Associations designated parking areas, the owner must provide the same form signed by the Leaseholder or Provider.
  - 3. The SOA reserves the right to refuse registration of a golf cart without such proof of available parking.
  - 4. In the event a Condominium or Homeowners Association requests the SOA to limit the number of carts an owner can register, that Association must provide proof from their legal counsel that said Condominium or Homeowners Association restrictive policy does not conflict with their Governing Documents and that their Membership has been properly noticed of the restrictive policy. Any limit on cart registration must comply with the SOA's Declaration of Covenants and Restrictions, Policies and other applicable laws.
  - 5. A Long Term Renter with a lease of at least 6 months may register one cart if the owner of the rented unit provides written approval to the SOA, and proof of parking as provided in Section F.1. The cart will not count towards the maximum number of carts allowed to be registered per owner.
- G. Commercial Lodging members will be limited to 2 registered golf carts per business parcel. 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: Sandestin Investments, Hilton Grand

Vacations, Bay Club I, Bay Club II, and the Hilton Hotel. Other entities may be considered Commercial Lodging members by the SOA Executive Director. The use of these carts is restricted to Commercial Lodging member staff only and carts are not to be driven or rented by guests.

- H. At the time of registration, the cart owner shall produce proof of insurance coverage in the cart owner's name that identifies the cart that is being registered.
- I. 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 long term 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.
- J. 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.
- K. Upon acquisition or transfer of golf cart ownership, the owner shall contact the SOA within 10 days to register the golf cart or renew previous registration according to this Rule.
- L. 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.
- M. 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.
- N. 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 one half the cost of a residential RDU, 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.
- O. 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.

#### 4. Limits of Operation

- A. Rental golf carts on the Property 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. Rental includes advertising or providing the use of a cart at a rental unit for additional fees.
- B. Only golf carts owned or leased long term by SOA homeowners or long-term renters, and Marina slip renters (as defined in paragraph 2.N.) may be operated on the Property.
- C. Gas powered golf carts are prohibited, except for those grandfathered according to section 1.C., exempt from registration under section 2.B., and Commercial Lodging carts permitted under section 2.G. 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 18" 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.G.
- 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. Parking of golf carts is limited to golf cart approved spaces. If unavailable, carts may only park in areas designated for vehicle parking. 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. Restrictions may also apply as stated in Section 3F of this policy.
- P. Disabled or abandoned golf carts must be removed from SOA Common areas, which includes but not limited to, SOA owned roadways and parking areas, as soon as possible. Golf carts determined to be disabled or abandoned shall be tagged by Security with a notice of warning to have said cart removed. The notice shall include the date, time, and location the cart was reported. The owner shall have 24 hours to have the cart removed from the time of notice. The Security Department is authorized to have all disabled or abandoned carts in violation of this rule removed at the owner's expense pursuant to Chapter 715.07 Florida Statutes.
- Q. 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.
- R. Towing or dragging a wagon, cart, bicycle or skateboard whether occupied or unoccupied is prohibited.
- S. Racing or other activities that could pose a hazard to the driver, occupants, others, or property is prohibited and may be subject to traffic violations in addition to a violation of this policy.

#### 5. Penalties and Fine Schedule

- A. Any violation of the above rules shall result in the review and possible penalties and fines according to this policy.
- B. All fines or suspensions will be imposed upon approval of the Fine Hearing Committee. The Violator will be notified of the date, time, and location of the Fine Hearing committee meeting with a minimum 14-day notice provided.
- C. 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.
- D. Any fines not paid per the requirements provided in the written notice of the Fine Hearing Committee's decision may 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
- Children under the age of 16 and/or unlicensed - \$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
- Fines for violations of the approved Traffic Rules on Sandestin roads shall be based on Traffic Rule fine schedules.
- Towing or dragging a wagon, cart, bicycle or skateboard whether occupied or unoccupied is prohibited - \$100.00
- Operating a rented golf cart on Common Property. - \$100.00
- Renting a golf cart, per section 3A of this policy, regardless if registered with the SOA or not. - \$100.00

**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.
- B. This rule supersedes any previous golf cart rule including any previously established fines.

Revisions 10/2023

2A – New section for Registration Fees

3F – Clarify language regarding number of carts permitted when unit(s) are owned by and LLC, Estate, etc.,

Clarify language regarding the requirement for the insurance to be in the name of the person that owns the cart.

4A – Additional language to define rental carts

5 – Update Fine language per revision to FL Statute 720 and add language to include fine being issued if rental golf cart violation occurs.