

Fairway at Red Hawk Association

PROPOSED RULE CHANGE (Traffic/Vehicles on Private Streets)

Purpose: To formally adopt rules related to traffic and the operation of vehicles upon the Association's private streets and drives in order to facilitate effective enforcement and to encourage compliance with signs, pavement markings, and other traffic-control devices.

Effect: The effect of these rule changes, if adopted by the Board, will be to make them binding provisions of the Association's governing documents subject to enforcement by fines and other remedies within the Association's authority.

Proposed Rules Regarding Traffic and Operation of Vehicles

1. Use of the Fairway at Red Hawk private common area streets and drives shall be in accordance with the rules herein.
2. Member property owners are responsible for the conduct of their co-residents, family members, tenants, guests and invitees.
3. The rules of the road set forth in Division 11 of the California Vehicle Code are enforceable as rules of the Association applicable to all users of the Association's private streets and drives.
4. If the Association has, through these rules or through the installation of signs, pavement markings or other traffic-control devices, imposed a more restrictive or stringent standard than that set forth in the rules of the road of the California Vehicle Code, the Association's more restrictive or stringent standard shall apply.
5. The maximum speed limit for operation of all vehicles within the Association is 20 miles per hour.

6. The content of all traffic signs, pavement markings and other traffic-control devices installed by the Association on its private streets and drives are mandatory rules that all users must comply with.
7. The rules herein are in addition to the rules set forth in the Association's Parking & Towing Policy adopted March 7, 2007.
8. All vehicles used on the Association's private streets and drives must be covered by liability insurance covering liability for the vehicle's operator and the vehicle have a limit of not less than \$15,000 for injury to one person in any one accident, a limit of not less than \$30,000 for injury to two or more persons in any one accident, and a limit of not less than \$5,000 for property damage in any one accident.
9. All vehicles used on the Association's private streets and drives must be legally registered to be operated on public roads in California. Said registration must be kept current according to California law, with the exception of golfers in play and landscape maintenance vehicles.
10. The Association may require proof of current registration and/or liability insurance from any user of a vehicle within the Association upon written request.
11. The Association may, by decision of its Board of Directors, prohibit the operation of any vehicle or of any vehicle operator upon the private streets or drives of the Association if the Board determines that such vehicle or vehicle operator presents an unreasonable risk or nuisance to the Association, its members or residents.
12. The Board may, after notice and hearing, find a violation of any of the rules herein based upon a statement in writing or oral testimony presented to the Board which the Board determines to be credible.
13. Schedule of monetary penalties:
 - a. Any violation of the Association's traffic rules shall be subject to a fine of not less than \$200 per incident.
 - b. Any violation of these rules which causes property damage may be subject to a fine of up to \$500 per incident in addition to the violator's or responsible member's payment for the damages caused.

- c. Any violation of these rules which cause personal injury to any person or, in the determination of the Board, presented an aggravated risk of injury to any person may be subject to a fine in the amount of \$1,000 in addition to the violator's or responsible member's payment for the damages caused.
14. Property owner members are responsible for payment of any fines or liabilities incurred by the act or omission of their co-residents, family members, tenants, guests or invitees.