

LAKENGREN PROPERTY OWNERS ASSOCIATION, INC.

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LPOA VEHICLE OPERATING RULES AND REGULATIONS

Reason for Policy: To provide a uniform standard for Property Owners, Renters and Security regarding the operation of vehicles in Lakengren.

Source of Board Authority: Code of Regulations and Corporate By-Laws of Lakengren Property Owners Association, Inc. Article XIII-b.

POLICY:

Violations of this policy are subject to fines and penalties per Item IV.g of this document and Article XIV of the Code of Regulations of the Lakengren Property Owners Association, Inc.

I. DEFINITIONS:

For purposes of this document entitled “LPOA VEHICLE OPERATING RULES AND REGULATIONS”, the following definitions apply:

- A. **“Vehicle”** – every device, including a motorized bicycle, in, upon, or by which any person or property may be transported or drawn upon a highway, except motorized wheelchairs, and devices other than bicycles moved by human power.

- B. **“Motor Vehicle”** – means every vehicle propelled by power other than muscular power or power from overhead electric trolley wires, except motorized bicycles, and agricultural tractors and machinery.

- C. **“Motorized Bicycle”** – any vehicle having either two tandem wheels or one front and two Rear wheels, which is capable of being pedaled and is also equipped with a helper motor. Further, The helper motor must meet all of the following specifications:
 - 1. It must have a piston displacement of no more than 50 cubic centimeters;
 - 2. It must produce no more than one brake horsepower; and
 - 3. It must propel the vehicle a maximum speed no greater than 20 mph on a level surface.

“Any motor-driven or motor-assisted cycle which exceeds any of the above specifications shall be deemed to be included in the definition of the term “Motorcycle” as that term is defined herein below.

D. **“Motorcycle”** – every motor vehicle, other than a tractor, having a saddle for the use of the operator and designed to travel on not more than three wheels in contact with the ground, including, but not limited to, motor vehicles known as “motor-driven cycle”, “motor scooter” or “motorcycle” without regard to weight or brake horsepower.

E. **“All-Purpose Vehicle (APV)”** – any self-propelled vehicle steered by wheels or caterpillar treads, or a combination of both, designed primarily for cross-country travel on land and water or on more than one type of terrain. This definition specifically includes, but is not limited to, vehicles known as all-terrain vehicles (ATV’s), all-season vehicles, snowmobiles, mini-bikes, trail bikes and vehicles that operate on a cushion of air. This definition does not include vehicles not principally used for personal transportation, any motor vehicle designed for and primarily used in playing the game of golf, and any vehicle excepted from the definition of the term “Motor Vehicle” set forth hereinabove. **NOTE: *ATV’s were banned from Lakengren roadways on April 12, 2004. ATV’s are not permitted to be operated in Lakengren except on the individual property owner’s property.***

F. **“Primary Transportation Vehicle”** – means any motorized vehicle that must be titled, registered and issued license plates by a state or federal government agency as a condition of its lawful operation upon any highway, public property or private property used by the public for the purposes of vehicular traffic or parking.

G. **“Recreation Vehicle”** – means any motorized or motor-assisted vehicle, fueled by any source other than human power, that is prohibited from use upon public streets and highways. This definition includes, but is not limited to, the following: mopeds, motorized bicycles, golf carts, go-carts, rail cars, dune buggies, all terrain vehicles (ATV’s), all-purpose vehicles (APV’s), snowmobiles, dirt bikes, and trail bikes.

II. **REGISTRATION**

- A. All motor vehicles, except for lawn tractors, riding mowers and other vehicles generally Considered for agricultural usage, operating upon the roadways of Lakengren must:
1. If required by law, be currently registered with a state or federal government, and a copy of the registration, title, or in the case of a new purchase, a bill of sale or receipt, must be carried in the vehicle for inspection by Lakengren Security and law enforcement personnel at all times.
 2. Be registered annually with the Lakengren Property Owners Association, Inc. Association registration is in addition to state and federal registration requirements.
- B. Only property owners, resident family members of property owners and renters may register primary transportation vehicles with the Association. The Lakengren Property Owners Association, Inc. Board of Trustees reserves the right to waive this requirement and grant primary vehicle registration to other persons on an as required or needed basis.
- C. Only property owners and renters may register recreational vehicles. Guests, children, other family members of property owners and renters, may not register recreational vehicles with the Association.

- D. Association registration stickers will be issued annually after April 1, and are valid until March 31 of the following year. Stickers must be displayed on the motorized vehicle at all Times in accordance with LPOA Security recommendations.
- E. Primary transportation vehicles are considered a necessary means of transportation and as such are exempt from some of the rules pertaining to recreational vehicles. To register a primary transportation vehicle, those persons, meeting the description in II-B above, must:
1. Present a copy of the vehicle title or annual state registration bearing his/her name as the owner of the vehicle to the LPOA Office.
 2. Sign a statement attesting to having in his/her possession an insurance policy as required by state law covering Public Liability and Property Damage.
 3. Have paid all annual dues and assessments of the Association as required.
- F. The operation of recreational vehicles within Lakengren is a privilege, revocable by the Association at any time. To register a recreational vehicle, property owners and renters must:
1. Have the vehicle inspected by Security annually. The inspection report will establish that the vehicle is street equipped with a minimum of headlights, tail lights, brake lights, rearview mirrors, and a horn.
 2. Present a copy of the vehicle's title or annual state registration with the required inspection as provided for in F-1. to the LPOA Office.
 3. Present proof of insurance in the amount of at least \$100,000.00 coverage per incident for Public Liability and Property Damage.
 4. **NOTE: ATV's are banned in Lakengren, except for operation on an individual's personal property. This section no longer applies to ATV's.**
 5. Read and sign a statement of responsibility wherein the property owner or renter agrees to accept responsibility for all damages caused by any operator of the recreational vehicle. The statement will also include a clause wherein the property owner or renter agrees that any violation of the LPOA Vehicle Operating Rules and Regulations shall be grounds for immediate revocation of the privilege to operate the Recreational vehicle in Lakengren, and further that the property owner or renter will Advise all persons who operate the recreational vehicle of the LPOA Vehicle Operating Rules and Regulations prior to the actual operation of the vehicle.
 6. Be a member in good standing, having paid all dues and assessments as required by the Association.

III. LPOA OPERATING REGULATIONS:

- A. All persons operating any vehicle on LPOA roadways must comply with the State of Ohio Operator's License and insurance requirements, and with all applicable provisions of this Document entitled, "LPOA Vehicle Operating Rules and Regulations," together with any amendments thereto, and shall be subject to fines and penalties per Item IV.g of this document.
 - 1. Operators of primary transportation and recreational vehicles, except for moped operators and as provided for in Section IV, D-3, must be at least 16 years old and hold a valid operating permit for the type of vehicle being operated.
 - 2. Motorized bicycle (moped) operators must be at least 14 years old and hold a valid Motorized Bicycle Operator's License as issued by the State of Ohio. (ORC 4511.01). Moped operators 16 years old or older need not have a Motorized Bicycle Operator's License, but must have some other type of a valid Ohio driver's license.
 - a. A Motorized Bicycle Operator's License is restricted to the operation of a motorized bicycle (moped) only. It does not allow the operator to operate any other form of motorized vehicle.
- B. Operation of all motorized primary transportation and recreational vehicles, other than Snowmobiles, are restricted to the hard surfaced roadways of Lakengren and graveled drives of the recreational areas.
 - 1. All vehicles, except for those vehicles designated for Maintenance by LPOA Management, and the vehicles of the various utility companies providing services to Lakengren, are prohibited specifically from the following areas:
 - a. Beach (See Section IV, D-6 (b) for an exception)
 - b. The slopes of any dam or spillway.
 - c. All LPOA common areas, except for paved or graveled areas within. (See Section IV, D-6 (b) for an exception)
 - d. On private property, except for the vehicle owner's property.
 - e. On other LPOA property not officially designated for such use.
- C. There shall be no parking on the sides of LPOA roadways and cul-de-sacs.
- D. There shall be no overnight parking on LPOA common areas, except as authorized by the LPOA Management or Security.
- E. There shall be no parking on the grassed areas at the recreation areas, except when so directed By Lakengren Management, Security or the Maintenance Departments.

IV. REQUIRED VEHICLE EQUIPMENT AND SPECIFIC OPERATOR REQUIREMENTS

A. Motorized Bicycles (Mopeds)

The following rules apply to the use of motorized bicycles on LPOA premises:

1. No person under the age of 14 shall operate Motorized Bicycles.
2. All operators who are 14 years old or older must obtain an Ohio Motorized Bicycle Operators License to operate such a vehicle, unless the operator has any other valid Ohio Operators License.
3. All operators of motorized bicycles under 18 years of age must wear a protective helmet, approved by the U.S. Department of Transportation (O.D.O.T.), eye protection and shoes.
4. Passengers are prohibited on motorized bicycles.
5. Motorized bicycles must be operated within three feet of the right hand side of the roadway when practical.
6. Motorized bicycles must be registered annually and display the special license plate issued by the Registrar of Motor Vehicles. Only those vehicles approved by the Director of Ohio Department of Public Safety can be registered.
7. Equipment Regulations:

At a minimum, any motorized bicycle used on the premises of LPOA must have:

- a. A working muffler and exhaust system, with no cutouts or bypasses.
- b. A firmly attached seat for the operator. The top of the seat must be at least 25 inches above the ground.
- c. At least one and no more than two headlights.
- d. A taillight with a reflective lens.
- e. A brake light.
- f. A set of handlebars that are equipped with safety grips and are positioned no higher than 15 inches above the seat.
- g. A horn or other audible signaling device that can be heard at least 100 feet away. Sirens and whistles are not permitted.

B. Motorcycles

Persons operating motorcycles on the premises of LPOA shall conduct themselves in Accordance with applicable Ohio law pertaining to the operation of motorcycles upon Public property and private property used by the public for parking. At a minimum, such operation shall conform to the following:

1. Riding Abreast: Motorcycles or bicycles shall not be operated upon a roadway so as to ride more than two abreast (two at a time) in a single lane; except on paths or parts of a roadway set aside for the exclusive use of motorcycles or bicycles.
2. Helmets and Eye Protection: All motorcycle operators and passengers shall wear safety glasses or other approved protective eye devices at all times when riding on the street. The law also requires that the following persons wear and approved safety helmet which meets Federal Department of Transportation (U.S.D.O.T.) standards at all times when riding on the street:
 - a. All motorcycle operators and passengers under 18 years of age;
 - b. All “novice” operators regardless of age. A “novice” is defined as anyone who has had less than one year of experience as a licensed motorcycle operator.
 - c. All motorcycle passengers, regardless of age, when they are riding with a driver who is legally required to wear a helmet.
3. Equipment Regulations: Every motorcycle operated on LPOA premises must be equipped with the following:
 - a. One and no more than two headlights.
 - b. At least one taillight and brake light.
 - c. A white license plate light.
 - d. A horn, which can be heard for at least 200 feet.
 - e. At least one rearview mirror positioned so that the rider has a clear view of the roadway behind the vehicle.
 - f. Handlebars and grips that are mounted so that they are no more than 15 inches above the seat.
 - g. No motorcycle shall be equipped with an exhaust system, which would produce any excessive or unusual noise. All motorcycles must be equipped with mufflers having baffle plates as required by law.

Bucket or bench seats for passengers are prohibited. Riders must be seated astride the cycle, with one leg on either side. Passengers may only be carried on a firmly attached regular seat.

C. Snowmobiles

1. Operation of snowmobiles upon any LPOA area is AT YOUR OWN RISK. Ice conditions on the lakes WILL NOT be monitored by the LPOA and remains the responsibility of the operator. Caution signs will be posted in strategic locations at all lakes.
2. Operation of snowmobiles upon LPOA roadways is strictly prohibited except during extreme emergency snow conditions wherein normal transportation is impossible. Any snowmobiles on LPOA roadways during such conditions must adhere to all Ohio state traffic laws and posted traffic signs.
3. Child Operators – Any person less than 16 years of age, but 12 years of age or older, must be accompanied by a parent or guardian who is a licensed driver 18 years of age or older. Child operators under 12 years of age are prohibited without exception.
4. Depth of snow must be a minimum of 3 inches before operating any snowmobile upon LPOA property.
5. Operating hours for snowmobiles upon LPOA property will be from dawn to dusk. The only exception will be for emergency travel under emergency conditions.
6. Areas of operation shall be limited to:
 - a. Within the confines of the property owner's or renter's real property.
 - b. LPOA common access, recreation areas and lakes. The Beach and Marina can be used for starting points for lake travel.
 - c. Cross country travel upon private lots without written permission of the lot owner(s) is prohibited, and could result in trespassing charges against the operator.
7. Required Equipment:
 - a. All snowmobile riders must wear protective helmets with fastened chin straps.
 - b. All snowmobile riders must wear protective eye goggles or face shields.
 - c. At least one headlight.
 - d. At least one red taillight.
 - e. Adequate brakes.
 - f. All snowmobiles must have an effective muffler system, as prescribed by Ohio state laws.

D. All other motorized vehicles.

All motorized vehicles which do not meet the definition of a motorized bicycle (moped), motorcycle, and snowmobile, except for lawn tractors, riding mowers and other vehicles generally considered for agricultural usage, are required to have the following equipment and meet the following licensing requirements:

1. Two headlights in working order.
2. At least one taillight, emitting a red light visible 500 feet to the rear.
3. A white license illuminating light in working order placed to illuminate the rear registration plate.
4. Every motor vehicle other than a commercial tractor, to which a trailer or semi-trailer is attached, shall carry at the rear, either as a part of the taillights or separately, two red reflectors.
5. All motor vehicles manufactured after January 1, 1954, must be equipped with turn signal lights in working order visible from both front and rear. Turn signal lights must be visible at a distance of not less than 300 feet in normal sunlight.
6. Every motor vehicle shall at all times be equipped with an exhaust system which is in good working order and in constant operation. No vehicle shall be equipped with a muffler cutout, bypass or similar device which would produce excessive smoke or gas, or permit any chemical to flow into or upon the exhaust pipe or muffler, or be equipped in any other way to produce or emit smoke or dangerous or annoying gases, other than ordinary gases emitted by the exhaust of an internal combustion engine under normal operation. No motor vehicle, including motorcycles, shall be equipped with an exhaust system which would produce any excessive or unusual noise.
7. Every motor vehicle shall be equipped with a mirror located to reflect to the operator a clear, unobstructed view of the highway to the rear.
8. Every motor vehicle shall be equipped with a horn, which is in good working order, capable of emitting sound and audible under normal conditions, from a distance of not less than 200 feet. No motor vehicle, except a public safety or emergency vehicle, shall be equipped with any siren, whistle or bell.
9. No vehicle shall be equipped with a light of any color other than white or amber mounted on the front except those operating under special permits, public safety vehicles, emergency vehicles, disabled vehicles, funeral escort vehicles, and road repair equipment.

10. All vehicles manufactured since January 1, 1962, must be equipped with anchorage units for at least two safety belts to the front seats. It is required that the operator and front seat passenger wear safety belts when the vehicle is being operated on the roadways. The exceptions to the regulation are: all 1962 model year and older vehicles not equipped with safety belts, motorcycles and mopeds.

E. Licensing

1. No person shall operate a primary transportation vehicle, as defined in Section 1 paragraph F, on the premises of Lakengren Property Owners Association and the roadways thereof unless the operator has passed the required tests and obtained a license for the type of vehicle being operated from the Registrar of Motor Vehicles.
2. All operators of recreational vehicles on Lakengren Property Owners Association roadways must have the required Ohio State License for the type of vehicle being operated.
3. Where no specific state license is required, recreational vehicle operators, including operators of golf carts, on Lakengren property and/or roadways must have a valid Ohio Class D Operator Permit.

F. Specific Lakengren Regulations in Addition to State Regulations

1. All motorized vehicles, including golf carts, lawn tractors, riding mowers and mopeds, that are unable to attain a speed of 25 miles per hour must display a "slow-moving-vehicle" emblem and an orange bicycle flag on a pole at least 6 feet in height, mounted on the rear of such vehicle, if the vehicle is being operated on Lakengren roadways.
2. Operators of lawn tractors, riding mowers and vehicles generally considered for agricultural usage must be at least 14 years of age, if traveling on Lakengren roadways.
3. Slow moving vehicles must pull over to the side of the road to allow regular traffic to pass when reasonable and safe to do so.
4. Semi tractor-trailer combinations owned by property owners are prohibited on Lakengren roadways, due to the narrowness and multiple curves of the roadways.
5. Only privately owned semi tractor-trailer cabs bearing a Lakengren vehicle registration sticker are permitted to travel on Lakengren roadways and be parked at the member's residence.
6. Generally, the provisions above do not apply to semi tractor-trailer combinations making deliveries to lots, or to household moving vans picking up or delivering household items.

G. “MULE”, RUV, or Similar Utility Vehicles

1. All utility vehicles, including, but not limited to, the Kawasaki Mule, Kawasaki Recreational Utility Vehicle, Yamaha Rhino, Kubota RTV, John Deere Gator, Polaris Ranger, and Bobcat 2300, or any vehicle that is similar to the aforementioned in design and displacement are generally prohibited from operating on the roadways or other property of the Lakengren Property Owners Association except as provided below:
 - a. Commercial businesses may operate a utility vehicle on the roadways of Lakengren provided that the utility vehicle is inspected by the LPOA and the vehicle displays a current LPOA sticker.
 - b. Individuals may request a special use permit to use a utility vehicle on the roadways of Lakengren. This permit will allow the owner to operate the vehicle for the purpose of conducting such work related activities as hauling brush, moving boats, or transporting equipment. The vehicle may not be used for non-work related purposes. The vehicle must be inspected by the LPOA and must display a current LPOA sticker. Proof of insurance must be provided at the time of inspection. The vehicle shall only be operated by a licensed driver sixteen (16) years of age or older.

H. Violations

Any person while operating any recreational vehicle on LPOA roadways who violates the above LPOA Vehicle Operating Rules and Regulations, or who shall operate a motor vehicle in such a manner as to cause concern for his or her safety or the safety of others, or to the property of another, will be issued a citation by LPOA Security. In addition, certain violations, injuries, etc., will be referred investigation to the appropriate law enforcement agency. Security will record all citations and observations of violations.

Operation of recreational vehicles within Lakengren is a privilege granted by the Association, and as such may be revoked at any time.

Property owners, tenant and associate members shall be directly responsible to ensure all Operators of their recreational vehicles are in compliance with the LPOA Vehicle Operating Rules and Regulations. Violations of these regulations by an operator of a recreational vehicle may subject the property owner, tenant or associate member to immediate revocation of privileges by the LPOA Board of Trustees and additionally may result in a citation and/or fine of \$50.00 for a first violation and \$100.00 for any subsequent violation.

Violations include, but are not limited to: operation in a reckless manner; exceeding the posted speed limits; operation on areas other than authorized areas, roadways, and gravel driveways of recreational areas; operating at night without lights; operating without the required safety equipment as specified by Ohio State Law and within these regulations; operating, or permitting the operation of a recreational vehicle as defined in Section 1, paragraph G of these regulations, without an Ohio Class D Operator's Permit.

Violations involving the operation of primary transportation vehicles by any person or persons on LPOA property and roadways shall be subject to citations, fines and penalties of \$50.00 for a first violation and \$100.00 for any subsequent violation by the LPOA when not directly in conflict with other State and local laws enforceable by the Preble County Sheriff.

The LPOA Board of Trustees shall at their discretion have the right to file a formal complaint with The Preble County Sheriff or to the Preble County Court of Common Pleas against those persons When deemed appropriate by the LPOA Board of Trustees.

Submitted by: LPOA Safety Committee (July 1995)

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