

- G. No more than two (2) carts are permitted on the course for three (3) or four (4) golfers, and no more than one (1) cart is permitted on the course for one (1) or two (2) golfers unless approved by the Golf Pro Shop.
- H. Golf carts must stay on cart paths where indicated. Use the ninety-degree (90°) rule where practical.
- I. Carts are not permitted within thirty (30) feet of the greens. Observe cart signs near the greens.
- J. Golf carts, whether owned or rented, are never to be driven onto private property.
- K. Golf carts are not permitted to be driven between or on tee boxes.
- L. Effective September 1, 2019, all vehicles, including golf carts, shall not park under the Portico at the front entrance to the Clubhouse. During inclement weather, however, golf carts will be allowed to park under the Portico with the following conditions:

MARKUP #1 ->

A twenty-foot wide drive-through area must be kept clear to allow for emergency vehicle access, and there must be a clear six-foot walkway from the drive-through area all the way to the front doors. When the inclement weather ends, golf carts must be removed from the Portico. Management reserves the right to move unattended golf carts parked under the Portico.

ISSUE #1

Use of Flags Due to a Disability or Medical Condition

Players who require golf cart privileges due to the above listing must provide a written application to the Golf Pro Shop, accompanied by a copy of a state Handicapped Parking Permit or a valid letter from a doctor stating the request for the privilege. By submitting a request in writing with the correct documentation, a Member will be put on a list allowing the use of a Blue Disability Flag. Such flags shall be distributed through the Golf Pro Shop, and no other type of flag shall be allowed. The use of this flag does not have spousal, partner, or Guest privileges.

Where other carts are restricted to cart paths only, golfers in this category are allowed special privileges for following the 90-degree (90°) rule, but must avoid driving in wet or soft areas, sand traps, on greens and tee boxes, or damage the course in any way. Carts must remain at least thirty (30) feet (10 yards) from the green. Failure to comply with these rules will result in the loss of flag privileges.

Frost and Water Delay Policy and Procedures

The Golf Course Superintendent and Head Golf Professional will determine if a delay is warranted and communicate such a decision immediately to the Golf Pro Shop. Additionally, a recheck of conditions will be performed every fifteen minutes, and the Golf Pro Shop will be updated accordingly

For shotgun or special events: when the course is not able to be opened on time due to water or frost conditions, tee times will be shifted downward (later) and started at the end of the delay. On these days, if necessary, the end of the tee sheets will be canceled.

On other days that have full tee sheets, tee times directly affected by the delay may be canceled, and the remaining tee times resume as scheduled. On these days, every effort should be made to accommodate the golfers canceled, by doubling up all twosomes and filling in every tee time.

ENFORCEMENT OF TIMBER GREENS RULES AND REGULATIONS

The Board of Directors (BOD) of the Timber Greens Community Association has the statutory authority to enforce the governing documents and the rules and regulations of the Association. The governing documents cover deed covenants and rules and regulations and encompass the use of various amenities such as the pool, golf course, Clubhouse, tennis & pickleball courts, safety, Community Patrol, or the administering of certain other policies, which, if not followed, would cause undue harm to the Community.

It is important that there be an established, documented enforcement procedure that includes the process of initial violation notification, expected results, penalties for noncompliance, and an appeal process that is uniformly enforced. The following is meant to establish a standard, consistent enforcement means across all policies, including architectural:

MARKUP #1 · CONFLICTS WITH FED LAW

BOARD & COUNSEL REVIEW

Sec. L (p. 18): Flag or flagpole restriction fails to include statutory exemption for the United States flag under the Freedom to Display the American Flag Act.

Statutory / Legal Reference: Freedom to Display the American Flag Act of 2005 (4 U.S.C. § 5 Note, Pub. L. 109-243)

Statutory Comparison: The federal Freedom to Display the American Flag Act of 2005 (4 U.S.C. § 5 Note, Pub. L. 109-243) prohibits community associations from adopting or enforcing any policy that prevents a member from displaying the flag of the United States on residential property to which the member has a separate ownership interest or right to exclusive possession or use.

CURRENT WORDING IN DOCUMENT:

Use of Flags Due to a Disability or Medical Condition Players who require golf cart privileges due to the above listing must provide a written application to the Golf Pro Shop, accompanied by a copy of a state Handicapped Parking Permit or a valid letter from a doctor stating the request for the privilege.

SAMPLE DISCUSSION WORDING (FOR HOA ATTORNEY REVIEW):

In accordance with the Freedom to Display the American Flag Act of 2005 (4 U.S.C. § 5 Note, Pub. L. 109-243), any homeowner may respectfully display the official United States flag on residential property under their ownership or exclusive use.