



6155 GOLF CLUB DRIVE
BRASELTON, GA 30517
O: (470) 429-2021

MARKUP #1 ->

Private Golf Cart Registration and Age Requirements

All Golf Carts, UTVs and similar vehicles must be registered with CESM

Golf carts, UTVs and similar type vehicles without working headlights and taillights will not be permitted on Chateau Elan streets after dusk. Headlights and taillights must be on while on Chateau Elan streets after dusk and until dawn. The number of passengers must not exceed the number of seats.

ISSUE #1

For the safety of minors and the community at large, the following age restrictions are enforced:

Children under 12 years of age are not permitted to drive golf carts within Chateau Elan.

12- to 14-Years-Old- Must be accompanied by parent or legal guardian.

15-Years-Old- Permitted to drive alone or with an adult only.

16–17-Years-Old- May operate golf carts, UTVs or similar type vehicles; shall hold a valid driver’s license.

Night driving without lights: \$250.00

Failure to register/ registration stickers not visible: \$100.00.

First underage driving offense- \$250.00

All subsequent underage driving offenses- \$500.00 and a 30-day suspension of RFID and ePass privileges for the household.

Illegal Dumping

Illegal dumping, anywhere within Chateau Elan is prohibited and will result in a \$500.00 fine plus the cost of clean-up and debris removal.

Fireworks

Fireworks will be allowed in Chateau Elan two days per year: New Year’s Eve and 4th of July only.

New Year’s Eve until 1 a.m.

4th of July until 10:30 p.m.

Fireworks are to be ignited from your property only. Do not use streets or common areas anywhere in Chateau Elan.

All fireworks-related debris must be removed by noon the next day. Residents are asked to inspect surrounding streets and common areas near their homes for any debris.

MARKUP #1 · CONFLICTS WITH FED LAW

BOARD & COUNSEL REVIEW

Sec. 3 (p. 4): Occupancy or amenity restriction discriminates based on familial status / disability or imposes an overbroad age restriction under the Fair Housing Act and HOPA.

Statutory / Legal Reference: 42 U.S.C. § 3604(f)(3)(B) & 24 C.F.R. § 100.204 (Fair Housing Act - Assistance Animals) & HUD FHEO-2020-01

Statutory Comparison: The Fair Housing Act (42 U.S.C. § 3604(b)) prohibits familial-status discrimination against families with children - including adult-only rental age floors (e.g., 24+), mandatory hourly pool exclusions targeting all minors under 18, blanket Common Area parental-escort rules for children, and caps on grandchildren - unless the community actively qualifies as 55+ Housing for Older Persons under 42 U.S.C. § 3607(b)(2) and 24 C.F.R. §§ 100.304 - 100.307 (which regulates occupancy rather than fee-simple title ownership and does not authorize intrusive medical/disability disclosures for live-in caregivers under 42 U.S.C. § 3604(f)).

CURRENT WORDING IN DOCUMENT:

For the safety of minors and the community at large, the following age restrictions are enforced: Children under 12 years of age are not permitted to drive golf carts within Chateau Elan. 12- to 14-Years-Old- Must be accompanied by parent or legal guardian.

SAMPLE DISCUSSION WORDING (FOR HOA ATTORNEY REVIEW):

Any age-based occupancy restriction shall be enforceable only while the Association actively qualifies as "Housing for Older Persons" pursuant to 42 U.S.C. § 3607(b)(2)(C) and 24 C.F.R. §§ 100.304 - 100.307, including maintaining at least 80% occupancy of units by at least one person 55 years of age or older and conducting mandatory biennial age-verification surveys. Absent active HOPA qualification, no restriction shall discriminate on the basis of familial status.