

APRIL COVE MAINTENANCE FUND, INC.
ROADWAY RULES

These are specific road use restrictions and road load limits established to protect the integrity of the streets of the subdivision. It is the owner's responsibility to notify guests, invitees, children, agents, servants, contractors, or tenants of these restrictions. Failure on the guests, invitees, children, agents, servants, contractors, or tenants to respect these Rules will reflect directly on the Owner(s) and any fines, fees, assessments for damage, or any other monetary obligation created as a result of the conduct of the Owner(s), his guests, invitees, children, agents, servants, contractors, or tenants is the responsibility of the Owner(s).

Roadway Use Restrictions

- The speed limit on all roads within April Cove is 20 M.P.H.
- All vehicles must drive on the paved portion of the roadway.
- Use of unfinished roadways is restricted when conditions would allow ruts to be formed.
- Vehicles must make turns at intersections wide enough to keep wheels away from the edges and shoulders of the pavement.
- Streets within April Cove are privately owned, therefore, property owners are permitted the use of golf carts and other recreational vehicles. Caution should be observed at all times.
- All persons under the age of 13 who are operating a vehicle must be accompanied by an adult of at least 18 years of age.
- There is to be no littering with bottles, cans, trash, etc.
- Any person who is not an Owner may by majority vote of the Board of Directors be prohibited from using any roadway or any common area in April Cove in the event that the Board of Directors determines that such person has continued to violate any rule, covenant, condition or restriction of April Cove after having been warned in writing by a representative of the Board of Directors of a violation. Continued use of said roadway or commons after the person is notified that he is prohibited from doing so shall constitute the offense of criminal trespass.
- Any company or business or its agents, servants and employees in the course of working for said company or business may, by a majority vote of the Board of Directors, be prohibited from using any roadway or any common area in April Cove in the event that the Board of Directors determines that company or business continues to violate any rule, covenant, condition, or restriction of April Cove after first having been warned by a representative of the Board of Directors in writing of a violation. Continued use of said property by said company or business its agents, servants or employees after having been notified of said prohibition shall constitute criminal trespass.

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Roadway Load Restrictions

- The maximum gross weight limit for April Cove roads is 40,000 pounds.
- No loads are to exceed a maximum gross weight of 10,000 pounds after 11:00am during the period of May 1 through September 30.
- No cement or Ready Mix trucks are to exceed a load of eight (8) yards for permitted new home construction.
- Sod delivery must be on a flat bed tandem axle trailer or similar vehicle with a minimum combination of 10 tires on the trailer and towing vehicle. A maximum number of 10 pallets of grass may be carried at one time unless otherwise authorized in writing by the Board of Directors.
- No equipment haulers are allowed without a permit and applicable fees paid prior to road use with the exception of a one-ton truck pulling a trailer with a minimum of 2 axels and 8 tires.
- No dual trailers will be allowed without a permit and applicable fees paid prior to road use.
- No truck-trailer combination with 18 wheels or more will be allowed without a permit and applicable fees paid prior to use.
- Dirt, rock, asphalt or similar material, whether hauled in or out of April Cove, must be hauled on a truck no larger than a tandem axle 15 cubic yard dump truck.
- The Board of Directors of April Cove or its designee reserves the right to refuse to issue a road use permit if in its judgment the risk of damage to the roadways is too great.
- The Board of Directors of April Cove may require the use of “ferrying” deliveries to the worksite whereby heavy loads are off-loaded at a designated area and the product is taken to the worksite in multiple delivery loads.

Road Use Permits

- Road use permits are required for any delivery or removal of any type of materials or equipment in excess of 12.5 tons (25,000 lbs) gross vehicle weight.
- Application for a road use permit must be made at least three (3) full business days in advance of the time the permit is to be used.
- Applications for a permit must be on a form supplied by April Cove. All information requested on the form must be supplied for the permit request to be considered.
- The permit will designate the date and time of road use and may contain any other restrictions or conditions the Board of Directors deems appropriate.
- Weight tickets may be required at the discretion of the Board of Directors or its designee upon entry into April Cove.
- No entry is permitted into April Cove unless in strict compliance with all terms and conditions of the road use permit where required.
- Any entry into April Cove in violation of the terms and conditions of any road use permit, in violation of the roadway load or use restrictions or permit requirements, or in violation of any dedicatory document of April Cove will result in a fine to be determined by the Board of Directors at its sole discretion within the minimum and maximum ranges of the fines set forth.
- The Board of Directors at their sole discretion may grant a permit exceeding weight limits for unusual or abnormal circumstances, but such exceptions must be in writing noting such justification and in no case may any road load exceed more than 5,000 pounds above the maximum limits stated above.

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Fees Associated with Permits

Boat house construction	\$.30 per sq. foot
Concrete, Paving, Stone, Rock, Asphalt, etc	\$.30 per sq. foot
Dirt hauling (in or out) not part of permitted new home construction	\$25.00 per load
Permit fee for exceeding weight limit or more than 10 pallets of sod	\$500 - \$2000 per load
Cement or Ready Mix not part of permitted new home construction	\$25.00 per load
Breakwall (retaining wall) construction	\$.30 per lineal foot
Equipment delivery not part of construction listed above	\$200 - \$500
Truck-trailer combination with 18 wheels	\$500 - \$2000

Exemptions

A permit fee is not required for new home construction or new boat house/pier/dock construction. However, the Owner(s) are not exempt from fees, fines or assessments if road use is known to be in violation of the Roadway Rules or visible damage to the roads results from road use during the course of the construction.

Identified and Allocated Road Damage

The prerequisites and permit fees allow the right to use the roads of April Cove within the limits of these regulations and the terms of the permit.

The mere use of the roads will cause damage and wear which will necessitate eventual repair even though the damage is not visible. **Regardless of the payment of fees or the issuance of any permit the Owner(s) are liable for the actual costs of repair for any visible damage to the road or other common property or structures caused by the use of the roads by the Owner, his agent, servant, contractor, tenant, or invitee.** The actual costs will be calculated based upon the costs to repair only the visible damage caused by Owner or his agents, servants, contractors, tenants or invitees. The cost of the repairs will be assessed against the Owner(s).

Fines

Speeding	\$25.00 - \$200.00
Exceeding Weight Limits	\$750.00 - \$5000.00
Underage driving, Driving on unpaved shoulders or ditches or Damage to unpaved roads	\$25.00 - \$200.00 (plus cost of damage repair, if any)
Beginning any improvement requiring a permit without obtaining a permit or in violation of the terms of any permit issued	\$25.00 - \$200.00 per day of violation
Violation of any other provisions not otherwise specified	\$25.00 - \$200.00 per day of violation

