

## **XII. MOTORIZED VEHICLES - RECREATIONAL**

**Preamble:** The trail system was built so ACL Property Owners and their guests can enjoy the natural beauty of the property and nature. Improper use detracting from this objective will not be tolerated.

It is the intent of the Apple Canyon Lake Property Owners Association Board of Directors to supplement the statutes of the State of Illinois in respect to the operation of all motorized recreational vehicles upon Association property. These Rules and Regulations are not intended to allow what the state statutes prohibit.

**A. Definitions:** As used in these Rules and Regulations, the following terms shall have the following meanings, unless the context clearly indicates that a different meaning is intended:

1. "Operate" means to ride in or on, other than as a passenger, use or control the operation of motorized recreational vehicle whether or not the vehicle is moving or underway.
2. "Operator" means every person who operates or is in actual physical or constructive control of a motorized recreational vehicle.
3. "Motorized Recreational Vehicle Owner" means a person, other than a lien holder, having the property in or title to motorized recreational vehicle, entitled to use or possession thereof.
4. "Person" means an individual, partnership, firm, corporation, and any body or association of individuals, or other entity.
5. "Proof of Insurance" shall be defined as an insurance company or insurance agency form that provides ACLPOA with the policyholder/named insured's name (must be a property owner of record), the amount of liability insurance coverage, a description of the insured vehicle(s), and the policy term expiration date.
6. "Roadway" means that portion of a highway improved, designed, or ordinarily used for vehicular traffic.
7. "All-Terrain Vehicle" (ATV) – Any motorized off-highway device, net weight of 900 pounds or less, traveling on four low pressure tires, designed with a seat designed to be straddled for operator use, and handlebars or steering wheel for steering control. ATVs are permitted on our trail system, subject to compliance with all other regulations contained herein.
8. "Utility Task Vehicle" (UTV)/"Side by Side Vehicle" – Any motorized off-highway device, net weight 900 to 1,999 pounds, not a golf cart or low speed vehicle. Vehicle travels on four or more low pressure tires, with seating for at least two passengers in non-straddle type seats, designed with a steering wheel, brake lights, taillights, and two headlights. Four and six-wheel UTVs/Side by Sides are permitted on our trail system, subject to compliance with all other regulations contained herein.
9. "Golf Cart" – A small vehicle primarily designed or manufactured for transportation of persons for golfing. Golf carts are permitted on our trail system, subject to compliance with all other regulations contained herein.

10. "Go-Cart" – A small vehicle having a lightweight or skeleton body and low ground clearance wherein the driver operates the vehicle with legs extended to reach the pedals.
11. "Motorized Recreational Vehicle" – Refers in these Rules & Regulations to vehicles allowed on the ACL trail system, including ATVs, UTVs/Side by Sides, and golf carts.
12. "Other Authorized Trail Vehicles" – Include snowmobiles (see Section XII Snowmobiles for regulations) and pedal bikes.
13. "Designated Trails" – Trails designated by the Association Board of Directors for recreational use by pedestrians and/or motorized recreational vehicles. When using the trails, all pedestrians and motorized recreational vehicles must remain on the clearly marked designated trails located for such purposes within Apple Canyon Lake. Motorized vehicles are not permitted on any walking trail.

*Amended: March 19, 2022*

#### **B. Prohibited Vehicles**

1. Amphibious vehicles, go-carts, and 2- and 3-wheel motorized vehicles are not permitted on the trail system. Any vehicle using a "skid steer" turning system is not permitted.
2. With the exception of Emergency, Maintenance, and Security vehicles, licensed vehicles such as trucks, automobiles and motorcycles are not permitted on the trails.

#### **C. Registration**

1. All motorized recreational vehicles that are to be on ACL trails must be registered annually and display a current ACL sticker on the center front of vehicle (front roll bar, windshield or front of hood panel so that sticker may be clearly seen from another approaching vehicle or trail walker) and ID numbers as issued by the ACL Association Office. The ID number will be displayed on both the front and rear of the vehicle. The ID numbers may be placed directly on the front center hood or on a front license plate and will also be displayed on a rear license plate. The registered owner will be responsible for the safe operation of the motorized recreational vehicle and be responsible for the activities of their guests.

#### **D. Insurance**

1. All recreational vehicle owners must provide ACLPOA with proof of liability insurance. The minimum required amount of liability insurance coverage shall be \$500,000 for bodily injury and property damage combined. Acceptable proof of liability insurance documents must meet the following requirements: the policyholder/named insured is the property owner of record; the insured vehicle(s) must be described, and the policy term expiration date and liability coverage amounts must be listed. Continuous until canceled policies will not be accepted. Listing the Association as an Additional Insured or Additional Interest is no longer required, but by doing so, the insurance company should automatically

send renewal documents.

2. The vehicle operator, operating a motorized recreational vehicle, recognizes and agrees that he/she is using the trails at their own risk, and absolves ACL of any injury sustained while using the trails, regardless of the source or cause of the injury. Each operator must sign a waiver to this effect each year when their vehicle is registered. If under 18 years of age, their parents/guardian must co-sign.

#### **E. Equipment**

1. All motorized recreational vehicles are required to have factory equipped or comparable mufflers in fully operable condition.
2. Noise level shall not exceed 90-decibel levels under normal standard testing.
3. Operable headlights and taillights are required if used after sunset.
4. ATV operators and riders are required to wear Department of Transportation approved safety helmets and eye protection.

#### **F. Operation Limitations**

1. All recreational motorized vehicles must be in safe operating condition.
2. No person shall operate any vehicle in a careless or heedless manner or at a rate of speed greater than will permit in the exercise of reasonable care to bring the vehicle to a stop within the assured clear distance ahead.
3. No person shall operate any vehicle in such a manner as to endanger the life, limb, or property of any person. No racing is permitted.
4. No person shall operate any vehicle on private property without the consent of the owner.
5. No person shall operate a vehicle at a rate of speed too fast for conditions or as may be posted.
  - a. A 10 MPH speed limit has been established:
    1. From President's Bay creek crossing to Powder Horne Access
    2. From the Marina building to Pilot Point Access
6. All vehicles must stop at streets and roads, etc., and yield right of way to pedestrians, vehicles, or pedal bikes.
7. Motorized recreational vehicles are permitted on trails between the hours of 6:00 a.m. and 10:00 p.m. or one hour after the conclusion of an ACL sanctioned event. Use of headlights and taillights is required before sunrise and after sunset.
8. Guest vehicles are not permitted.
9. No riding or operation of vehicles is permitted on closed trails or in nonauthorized ACL areas.
10. The Golf Course is off limits to all recreational vehicles except golf carts.
11. No person shall operate a motorized recreational vehicle while under the influence of intoxicating beverages or illegal drugs.
12. Passengers are prohibited from riding in open flat bed or on a "pull-a-long" or "tow behind" trailer or cart, etc. attached to an approved vehicle; the number of passengers in a single vehicle may not exceed the manufacturers

recommendation, and/or actual seat count.

13. All motorized recreational vehicles shall be 66" or less in overall width.
14. Any recreational motorized vehicle that breaks through the ice will be subject to fines as outlined under Section XIII Snowmobiles, C. Operations, #7.

#### **G. Guest Use**

1. All guests must complete a waiver annually and submit it to the ACL Association Office prior to using a registered vehicle on the trail system.

#### **H. Staging Areas**

1. Illinois State law does not allow unlicensed motor vehicles on roadways. Therefore, the following are recommended as staging areas.
  - a. Nixon Beach parking lot.
  - b. Greenway area at the end of Powder Horne Lane.
  - c. Greenway area at the northeast end of Independence Bay.
  - d. Upper Clubhouse parking lot.

#### **I. Lawful Operation**

1. Operation of a motorized recreational vehicle on Association property including the Trail System shall be limited to individuals:
  - a. Possessing a valid driver's license or permit of state of origin.
  - b. Attainment of 16 years of age (or age as mandated by the Association insurance carrier).

#### **J. Method of Crossing Roadway**

1. Motorized recreational vehicles may make direct crossings over designated roadway crossings providing that the crossing is made as close as possible to a 90-degree angle to the roadway and only after coming to a complete stop and yielding to vehicles and pedestrians on the roadway.

*Amended: November 16, 2013  
March 17, 2018*

*Amended: January 20, 2018*

*Amended:*