

# Facilities — Rules for All Common Areas

These rules apply to any properties designated by the board and all common areas as defined in Article 1 of the restrictive covenants that states, “common properties shall mean and refer to those areas of land shown on any recorded subdivision plat of the properties and intended to be devoted to the common use and enjoyment of owners of the property.” Bylaw 1.6 states, “Common Properties” means and refer to the Lake and those areas of land shown on any recorded subdivision lot, including any buildings or other facilities and improvements thereon, and include any so designated properties subsequently acquired by the Association and intended to be devoted to the common use and benefit of the owners of the property.” Article 4 section 3 of the restrictive states in part, “the rights and easements of and enjoyment created hereby shall be subject to the following.”

(c). The right of the Association, as provided in its article and bylaws, to suspend the enjoyment rights of any member for a period during which any assessment remains unpaid, and for any

period not to exceed 30 days for any infraction of its published rules and regulations; and  
(d). The right of the Association to charge reasonable admission and other fees for the use of the common properties.”

## General Rules

- A. Members need to be aware that additional rules may apply for specific common areas.
- B. Member must carry valid Association identification
- C. A family unit is permitted guests and is required to be with them at all times while on the common properties.
- D. The family unit is responsible for the conduct of their guests.
- E. Members under 12 years of age need to be under adult supervision or supervised by a member 15 years of age or older.
- F. Members must comply with all covenants, bylaws and rules and the direction of staff.
- G. No Person shall do any of the following:
  - a. engage in fighting, threatening harm to per-

- sons or property, or act in a violent manner;
- b. make offensive course utterances, gestures, or communicate unwarranted and abusive language
- c. Engage in conduct that is offensive to others.

- H. Members are required to comply with posted hours of operation regarding the specific common areas.
- I. Golf Carts/Under Speed Vehicles on Common Areas are allowed with the requirement that a handicap placard must be displayed at all times and the handicap individual must be in the golf cart/under speed vehicle at all times while the vehicle is being operated.
- J. Violations of the restrictive covenants, bylaws, and rules and regulations may result in actions by the Association included but not limited to assessing fines, penalties, and/or revocation of privileges.

## Liability

The Association shall have no liability for the safety or actions or inactions of a member or their guests with respect to the common area. Members and guests waive and release any and all rights and claims against the Association, its Board members, staff members, volunteers, and representatives in consideration for their use on the property. The liability for damage or theft from or to personal property, rests solely with the owner of said property.



## Speed Limit

### Resolution 2016-1

WHEREAS, pursuant to Article 9 – The Board of Directors, Section 9.1. of the Bylaws (Bylaws) of the Apple Valley Property Owners Association (Association), The Board of Directors (Board) shall have the power to carry on the affairs of the Association.

WHEREAS, Article 2 – Association Purpose, Section 2.5. It does all things necessary and incidental, as permitted by law and under the Articles of Incorporation, to promote the common benefit of property owners in Apple Valley.

WHEREAS, the Declaration of Restrictive Covenants declares that Apple Valley is a residential community with permanent parks, playgrounds, open spaces, and other common facilities for the benefit of said community.

WHEREAS, the Apple Valley residential community is an unincorporated community within the jurisdiction of the Townships of Brown and Howard, Knox County, Ohio.

WHEREAS, the Apple Valley residential community includes one hundred twenty-nine (129) streets located in the Townships of Brown and Howard, Knox County, Ohio. WHEREAS, as defined by the Ohio Revised Code 4511.21 Definitions:

(X) “Pedestrian” means any natural person afoot.

(BB) “Street” or “highway” means the entire width between the boundary lines of every way open to the use of the public as a thoroughfare for purposes of vehicular travel.

(OO) “Residence district” means the territory, not comprising a business district, fronting on a street or highway, including the street or highway, where, for a distance of three hundred feet or more, the frontage is

improved with residences or residences and buildings in use for business.

WHEREAS, the Ohio Revised Code 4511.21 (K)(5)(b): as used in division (K)(5) of this section:

(b) “Residential subdivision” means any platted territory outside the limits of a municipal corporation and fronting a highway, where, for a distance of three hundred feet or more, the frontage is improved with residences or residences and buildings in use for business, or where the entire length of the highway is less than three hundred feet long and the frontage is improved with residences or residences and buildings in use for business. WHEREAS, the prima-facie speed limit of 55 mph for residential streets in the Apple Valley community is greater than is reasonable and safe under the conditions found to exist at such locations to include residential streets do not have sidewalks, there are no street berms, the streets have drainage ditches that parallel the roadway and are as deep as five feet, sight distance for drivers and pedestrians is limited by the curves, hills and valleys of the roadways, and all residential homes are required to have driveways.

WHEREAS, the Ohio Revised Code 4511.21 (K)(5)(b) as used in division (K)(5) of this section:

(b) “Residential subdivision” means any platted territory outside the limits of a municipal corporation and fronting a highway, where, for a distance of three hundred feet or more, the frontage is improved with residences or residences and buildings in use for business, or where the entire length of the highway is less than three hundred feet long and the frontage is improved with residences or residences and buildings in use for business. Whenever a board of township trustees finds upon the basis of an engineering and traffic investigation that the

prima-facie speed permitted by division (B)(5) of this section on any part of a highway under its jurisdiction that is located in a commercial or residential subdivision, except on highways or portions thereof at the entrances to which vehicular traffic from the majority of intersecting highways is required to yield the right-of-way to vehicles on such highways in obedience to stop or yield signs or traffic control signals, is greater than is reasonable and safe under the conditions found to exist at the location, the board may by resolution declare a reasonable and safe prima-facie speed limit of less than fifty-five but not less than twenty-five miles per hour at the location. An altered speed limit adopted by a board of township trustees under this division shall become effective when appropriate signs giving notice thereof are erected at the location by the township. Whenever, in the opinion of a board of township trustees, any altered prima-facie speed limit established by it under this division becomes unreasonable, it may adopt a resolution withdrawing the altered prima-facie speed, and upon such withdrawal, the altered prima-facie speed shall become ineffective, and the signs relating thereto shall be immediately removed by the township.

**NOW, THEREFORE, BE IT RESOLVED the Board of Directors supports the efforts by Apple Valley property owners to petition the trustees of the Townships of Brown and Howard, Knox County, Ohio to reduce the prima-facie speed limit on the streets in Apple Valley from 55 MPH to 25 MPH pursuant to Ohio Revised Code 4511.21(K)(5)(b)**

This Resolution was adopted this 26th day of January, 2016, by the Board of Directors.