



## *Community Association at Estero, Inc.*

# **RECREATIONAL FACILITIES RULES AND REGULATIONS**

## **GENERAL INFORMATION**

The Rules and Regulations of the Marsh Landing Recreational Facilities are designed to protect the rights and privileges of the Association and its property. Respect the Marsh Landing community Clubhouse as you would your own home. All members, their families, tenants, and guests, in addition to any other obligation, duty, right, and limitation imposed upon them by the Declaration, the Articles of Incorporation, the Bylaws and the Rules, Regulations and Policies of the Association and Homeowner and Condominium Act, shall be subject to and agree to abide by the following restrictive covenants. These Rules and Regulations will be reviewed periodically by the Board of Directors and amended as necessary to better serve the Membership.

## **SUSPENSION OF PRIVILEGES**

The use of the recreational facilities (clubhouse, pool, spa, tennis and bocce courts, etc.) will be suspended for any member, guest, or renter during any period in which such member is in default in payment of any Maintenance Fees, Late Fees, Interest, and/or Special Assessments levied by the Association.

## **VIOLATIONS**

The Board of Directors or Designee shall have the right as they deem necessary to suspend the use and privileges of members, their families, tenants, and guests for any violation of the Rules and Regulations as set forth herein. PLEASE NOTE: The word Designee, as referred to in the following Rules and Regulations includes, but is not limited to, a Member of the Board or the Property Manager.

## **HOURS OF OPERATION**

The Clubhouse and Exercise Room are open: 6:00 A.M. to 10:00 P.M.

Tennis and Bocce Court Areas are open: 7:00 to 10:00 P.M.

The Pool and Spa are open: 7:00 A.M. to 9:45 P.M.

## **DAMAGES**

Members, their families, tenants, and guests shall be liable to the Association for defacing, marring, or otherwise causing damage to the common elements.

Violations or damages should be reported on an **Incident Report Form**.

Infractions will be called to the attention of the person(s) involved by the Designee and may be referred to the Board of Directors or Property Manager for action.

## **GUESTS**

Guests are persons who are on the premises of Marsh Landing at the specific invitation of an Owner or Lessee.

- Only Owners of Record / Lessees may invite guests.
- “Registered Guests” are who are present for at least 24 hours. Maximum 21 days when the owner is absent from the property.
- “Day Guests” are guests who are present for less than 24 hours, and do not stay overnight. Their host must accompany them at all times while using any Marsh Landing facility. Maximum of 4 times per month.

## **GENERAL RULES FOR TENNIS & BOCCE COURT AREAS, SWIMMING POOL, EXERCISE ROOM AND CLUBHOUSE FACILITIES**

- **The Clubhouse and All Recreational Facilities are designated as SMOKE FREE** *including the Lanai, Pool Deck Area, Tennis Courts, Bocce Court, and Picnic Pavilion.*
- Members, their families, tenants, and guests using the recreational facilities do so at their own risk. There is never a lifeguard on duty.
- Member and tenant identification shall be shown upon request.
- Please, no excessive noise, racquet throwing, ball abuse, profanity, or other offensive and disrespectful conduct.
- The use of SKATEBOARDS, SCOOTERS, IN-LINE SKATES, BICYCLES, or like wheeled vehicles is NOT permitted inside Marsh Landing recreational areas. [Tennis/Bocce Courts, Pool/Spa Deck, sidewalks, Parking Lot.] The parking lot and sidewalks may be used to access the bike racks.
- **Children under the age of 14 when in the Marsh Landing Recreational Area must be accompanied by an Owner or Lessee.** Supervising adults shall be responsible for the conduct of children and guests at all times.
- There shall be no solicitation by any person anywhere in the Clubhouse or Common Areas for any cause whatsoever without written authorization by the Board of Directors.
- Members, their families, tenants, and guests who use any of the common areas are responsible for leaving it clean after use.
- **GLASS** is not permitted in the pool/spa or tennis/bocce court areas.
- **OVERNIGHT PARKING** (after 10:30 P.M. is not permitted in the Clubhouse parking lot without a Special Parking Permit. The request for Special Parking Permit forms are available at the Clubhouse Office and on the Marsh Landing website.

## **TENNIS, BASKETBALL, and BOCCE COURTS**

**SMOKING:** There is NO SMOKING allowed on the Tennis, Basketball and Bocce Courts at any time.

**TIME LIMIT:** Singles \_\_\_\_\_ One Hour                      Doubles \_\_\_\_\_ One Hour

Exception: Times designated by the Board of Directors or Designee for special events, or when deemed necessary to facilitate the maximum usage of the courts.

RESERVING TIME: On a first-come, first reserved basis. Playing on a court constitutes having ONE court reserved for a maximum of one hour, if others are waiting to play.

LIGHTS: Please turn off lights after use for night playing.

## **SWIMMING POOL & SPA**

**SMOKING**: There is NO SMOKING allowed on the pool deck or in the pool or spa at any time.

**POOL TEMPERATURE**: The pool is heated as necessary to maintain 85 degrees Fahrenheit. Under normal circumstances, this temperature will be maintained from October through May.

**AGE RESTRICTIONS**: The swimming pool and spa are for the use of members, their families, tenants, and guests only. **NO children under the age of 14 years of age shall be permitted to use the pool or spa unless supervised by an adult.**

**ATTIRE**: Bathing suits must be worn. Shorts, cut-offs or street clothing are **NOT** permitted to be worn in the pool. Clothing changes are to take place in the restrooms provided, not poolside.

**DIAPERS**: All children and others who are required to wear diapers must wear rubber pants over the diapers or under their bathing suits. Anyone not observing this rule will be suspended from use of the pool facility for a period of 60 days. Should any mishap occur due to noncompliance with this rule, the individual(s) responsible shall be liable for the cost of testing and chemical additions to the pool and/or the draining and refilling of the pool or spa. By law the facility is required to be closed and the Health Department notified when such a violation occurs.

**SHOWERS**: A shower must be taken prior to entering the pool and spa to remove suntan lotion and body oil that clog the pool and spa filters.

**FLOTATION DEVICES**: *Pool load limits may restrict the use of any approved flotation device due to safety concerns, and the use of such devices may be restricted at the discretion of the Board of Directors, and/or the Property Manager.*

The following items may be permitted in the pool –noodles, noodle chairs, floating loungers and rafts no larger than 6 feet long by 3 feet wide, inner tubes no larger than 35 inches in diameter, child safety rings, and water wings.

Items prohibited in the pool include but are not limited to any oversized flotation device, boats, items that are ridden, or any motorized devices.

**THROWING AND TOSSING ITEMS**: The tossing or throwing of **all** items is prohibited in the pool and pool deck areas at all times. This includes any type of ball, rings, disks, etc.

**FOOD AND DRINKS**: Food and drinks are not permitted **in** the spa or pool **or** on the pool wet deck (four feet around the pool's edge) by state statute (Chapter 64E-9.008). **GLASS is not**

**allowed within the fenced area at any time.**

**FURNITURE:** No pool or lanai furniture shall be removed from the pool area or used in the pool or spa. The pool and spa wet deck areas (four feet from edge of pool and spa) must be kept free of furniture at all times.

**CONDUCT:** No running, pushing, or boisterous play is allowed on the pool deck. Diving, jumping and flipping into the pool or spa are **NOT** permitted.

**ELECTRONIC EQUIPMENT:** All radios, TV's, i-pod type devices, and hand-held video games shall be used only with headphones or ear buds. This rule does not apply for approved Community Association activities.

**ANIMALS:** No animals are permitted in the Marsh Landing Recreational Area.

## **LANAI AREA**

**SMOKING:** There is **no smoking** allowed on the lanai at any time.

**FURNITURE:** The furniture on the lanai may not be moved to the pool deck or into the clubhouse.

## **EXERCISE ROOM**

**AGE RESTRICTIONS:** Children under the age of 15 years of age shall not be permitted in the exercise room without adult supervision.

**EQUIPMENT:** The weight equipment, including free weights are not to be removed from the exercise room. Residents should not store or leave their personal equipment in the exercise room. Equipment should be wiped down after use with the provided supplies.

## **CLUBHOUSE FACILITIES**

### **SPECIAL SOCIAL EVENTS:**

Special events will be scheduled throughout the year involving use of the facilities as designated by the Board of Directors. During these times, the facility to be used, as well as the date for the proposed event, will be on display in the Clubhouse and reserved for that event. Special events shall be open to members, their families, tenants and guests. Open flames (candles, sterno, etc.) are not permitted in the Clubhouse by county fire regulations. Only electric warmers and appliances may be used to prepare food.

### **SPECIAL USE FUNCTIONS:**

The Marsh Landing Clubhouse and Recreational Facilities (including the common room, lanai, kitchen, pool, tennis courts, bocce court, and picnic pavilion) are available on a non-exclusive use basis to Marsh Landing homeowners.

There may be some holiday, weekends and other high use days when the Clubhouse Facilities are not available for rental.

The Clubhouse will be available for one (1) event to be scheduled between Friday and Sunday each week.

The use of the recreational facilities will be suspended for any member, guest, or renter during any period in which such member is in default in payment of any Maintenance Fees, Late Fees, Interest, Fines, and/or Special Assessments levied by the Association. During any scheduled event, the Clubhouse and all recreational facilities are still open for use by all Marsh Landing residents. Non-commercial member group parties, (birthdays, showers, anniversary, etc.) shall be permitted in the Clubhouse on a non-exclusive basis for up to fifty (50) guests. A **non-refundable \$100.00 use fee** will be charged for Clubhouse events. A reservation, signed form acknowledging rules of use (available on the Marsh Landing website or Clubhouse Office), and a separate **\$300.00 security deposit** are required at least two (2) weeks prior to the event. **Reservations are on a first-come, first reserved basis, based on the Deposit and Use Fee being paid.** For evening events, cleaning must be completed before 10:00 P.M., the closing time of the Clubhouse.

**For security purposes, all residents and guests must vacate the Clubhouse before 10:00 P.M. or forfeit the deposit.**

A resident is prohibited from reserving the facilities for third party use. Reserving facilities under fraudulent conditions could result in the revocation of further rental privileges. The Clubhouse may **NOT** be used for the purpose of selling products, services, promoting political agendas, or for personal financial gain.

NOTE that the Board of Directors reserves the right to refuse the special use of any portion of the recreational facilities if it is deemed to be in violation of these guidelines, or will cause undue stress on the community due to noise or parking issues.

### **COMMUNITY FUNCTIONS:**

The Clubhouse is available for Marsh Landing community meetings and activities (neighborhood association meetings, committee meetings, community potlucks, recreational activities, etc. on a first-come basis. Reservation forms are required to reserve the Clubhouse for such functions. These may be one time, weekly, or monthly, etc. There are no fees required but it is required that the building be left clean and orderly. The forms are available in the Clubhouse office and on the website.

**THE ABOVE RECREATIONAL FACILITIES RULES AND REGULATIONS, EFFECTIVE JUNE 1, 2014 BY ORDER OF THE MARSH LANDING BOARD OF DIRECTIONS, SUPERSEDE ANY AND ALL PREVIOUS VERSIONS.**

**As Revised and Amended May 27, 2014**