

**RULES OF THE PINEY-Z  
COMMUNITY DEVELOPMENT DISTRICT**

**ESTABLISHING CERTAIN POLICIES AND PROCEDURES  
FOR THE AMENITIES LOCATED IN THE PINEY-Z  
COMMUNITY**

**1.01 Purpose**

To adopt initial uniform policies and procedures for use of facilities located on property owned or leased by the Piney-Z Community Development District (the “CDD”), including the Swimming Pool, Fitness Center, Lodge, Pavilion, and Playground and Gazebo Park.

Specific Authority Chapter 190.035; 190.011; 190.012; 120.54, Fla. Statute

Law Implemented Chapter 190.011; 190.012; 190.035, Fla. Statute

**1.02 Necessity**

To establish uniform and comprehensive policies and procedures for the Piney-Z “Amenities” herein defined as the Swimming Pool, Fitness Center, Lodge, Pavilion and Playground and Gazebo Park located within the Piney-Z community.

**1.03 Definitions**

- A. The term “resident” is hereinafter defined as an individual who resides on a regular basis in a home within the CDD as a property owner, renter, or member of a household. The term resident is also defined as an individual or entity owning one or more lots within Piney Z Plantation.
- B. The term “passholder” is hereinafter defined as a nonresident who pays an annual fee to use the Piney-Z Amenities and members of that nonresident’s household.

- C. The term “guest” is hereinafter defined as a non-resident or passholder accompanying a resident or passholder to use the Piney-Z Amenities.
- D. The term “program participant” is a person who enrolls in a CDD sponsored program or class such as swim lessons.

#### **1.04 Annual Non-Resident User Fee**

Nonresidents may use the Piney-Z Amenities for an annual fee equal to the Annual Amenity Debt/Operation and Maintenance Assessment for a 90-foot lot. The annual fee may change each fiscal year so the CDD Property Manager should be contacted for the most current fee. Payment of the annual fee entitles the nonresident and members of the nonresident’s household to use the Piney-Z Amenities in accordance with these Rules 12 months from the date of receipt of payment by the CDD. Fees for the full 12 months must be paid to activate membership. The CDD does not offer monthly or prorated memberships. Passholders are not entitled to participate in functions planned by the residents or staff of Piney-Z.

#### **1.05 Conduct Required of Users**

Users of the Piney-Z Amenities shall conduct themselves in a generally acceptable manner. For example, foul or abusive language will not be tolerated. Violations of generally acceptable standards of conduct may result in suspension of any or all privileges. The Property Manager shall, and from time to time as issues arise, post requirements for use and proscribed behavior. Additionally, pursuant to Florida law, smoking is prohibited inside Piney-Z Amenities which includes the swimming pool enclosure.

Piney-Z Amenities’ parking lots are for use only by residents, passholders, guests and program participants only when they are using the Piney-Z Amenities in accordance with these policies and procedures. Unauthorized parking or vehicles left in parking spaces when the owner is not using the Piney-Z Amenities are subject to towing. Additionally, vehicles left in the Swimming Pool parking lot between 12:00 and 6:00 a.m. are subject to towing.

## **1.06 Policies, Procedures, Charges, and Regulations for the Swimming Pool Area**

- A. Swimming Pool Area (Pool, Deck Space, Children's Wading Pool)
  - 1. User Qualifications for Pool Area Use:
    - a. Only residents, passholders, guests and program participants in a pool-based CDD program can use the pool facilities.
    - b. Residents and passholders may have up to 4 guests per household per day unless other arrangements have been made through the Property Manager or his/her staff designee. All requests to exceed the maximum number shall be made to the Property Manager 5 week days in advance of the need to bring the extra guests. Reasonable requests such as birthday parties for children shall be allowed; however, no more than 12 guests shall be permitted. Even then, the number permitted must be capable of being accommodated safely and there is no guarantee that up to 12 may be accommodated.
    - c. Guests must be accompanied by a resident or passholder. A guest can be a guest of a resident, passholder, member of the Board of Supervisors or the CDD Property Manager.
    - d. Residents, passholders, guests and community members may enroll in CDD programs. Guests and community members who enroll in any CDD programs become program participants and are not entitled to any Piney-Z-Amenity privileges.
    - e. Children aged 14 and under must be accompanied at all times by a parent, legal

guardian, or specific designated adult. The parent, guardian, or designated adult must be prepared to assist the lifeguard(s) if the child exhibits a behavior problem or other need. If the designated person is not the parent or guardian, they must know how to immediately contact the parent or guardian in the event of an emergency. Children who misbehave at the pool may lose swimming privileges. Children left at the pool unsupervised will not be allowed in the pool area. Authorities will be notified if a child is abandoned at the pool with no supervision and the parent or guardian cannot be located in a timely manner.

- f. Children aged 15 through 17 must be prepared to provide information to the Property Manager, his/her designee, and/or the lifeguards as to how to immediately reach their parent(s) or legal guardian(s).
- g. All authorized pool users must follow all pool facility regulations to maintain pool privileges.
- h. All persons not authorized to use the pool will be considered trespassers. The Property Manager, his/her designee, and the lifeguards have the authority to contact local law enforcement authorities for assistance if trespassing occurs and/or a situation arises that warrants law enforcement assistance.

## B. Swimming Pool Schedule, Hours, and Closings

- 1. The pool will be open weekends only from mid-April to the end of May and remain open on Saturdays and Sundays from 10:00 a.m. until 8:30 p.m. until Memorial Day Weekend.

2. Beginning on Memorial Day Observed (Monday), the pool will be open seven days a week from 10:00 a.m. until 8:30 p.m. until public schools resume in mid-August.
3. After public schools resume, the pool will be open on weekends through the second weekend in October and on Labor Day Observed (Monday) from 10:00 a.m. until the earlier of dusk or 8:30 p.m. It will also be open for 5 hours on weekdays during this period at the Property Manager's discretion which shall be guided by resident and passholder demand, weather and lifeguard availability.
4. The Property Manager shall post reasonable time periods for adult use only of the pool. During these hours, only those aged 18 or older will be allowed to use the pool area. The "No Alcohol" rules will still apply during those periods.
5. The pool will be available for CDD pool-based programs (e.g., swim lessons) from 9:00 a.m. until 11:00 a.m. and 4:00 p.m. until 7:00 p.m. weekdays and 9:00 a.m. until 10:00 a.m. on Saturdays. When the CDD program sessions overlap open swim times, the programs will be held on one end of the pool only. Programming involving the pool during any other open swim hours is subject to CDD Board prior approval.
6. The pool is available for residents and passholders for use for private events from 8:30 p.m. to 11:00 p.m. on Fridays, Saturdays, and Sundays, April through October. Reservations are to be made with the Property Manager on a first come, first serve basis. The same fees and general rules for leasing the Lodge or Pavilion apply to leasing the pool, except that the pool can only be leased from 8:00 pm to 11:00 p.m. rather than six hours. Any time the pool is reserved by a resident or passholder, an appropriate number of lifeguards must be on duty. The names of the lifeguard(s) and a copy of his/her certifications must be provided to the Property Manager

prior to the event. Payment to lifeguards must be arranged by the resident or passholder reserving the pool. All pool area rules described in this document apply to these events with the exception of number of guests invited and the lifeguard verification process.

7. The pool may be closed with or without notice by the Property Manager, his/her designee, or lifeguards for reasons including, but not limited to, the following: bad weather, thunder and/or lightning present, lack of participation, repairs to pool or pool area, lifeguard absence, vandalism, chemical problems, and misbehavior by those in the pool area. The pool and pool deck area are closed anytime lifeguards are not present. Anyone entering the pool area when it is closed for any reason will be considered trespassing even if the gates are unlocked or lifeguard absence occurs during a scheduled open swim time.

#### C. General Pool Area Rules

1. Conduct at the pool during open swim times must be such as to provide the greatest enjoyment for the majority of participants. The cooperation of all pool area users is essential and required.
2. All persons who enter the pool area must be authorized as described in this document. Verification of authorization must be provided to the designated CDD staff person upon request. Pool area users should have with them any amenity badges, id's, swipe cards , etc. at all times to provide proof of verification that they are a resident, passholder, or guest. Guests must be accompanied by a resident or passholder. Guest badges are available through the Property Manager. Upon entering the pool area, all persons must, if requested by a lifeguard or designated staff, sign in for control and attendance record purposes.
3. Only bona fide swim wear is allowed in the pool. No cut-offs or shorts with buckles or rivets are permitted.

4. No pets are permitted in the pool area.
5. Glass is not permitted in the pool area.
6. Persons with skin disorders or other conditions potentially harmful to others will be denied use of the pool.
7. No items except play equipment as provided below should be put in the pool including pool furniture.
8. Play equipment such as floats, rafts, beach balls, toys, and remote controlled devices, and similar equipment are not allowed in the pool area unless approved by the Property Manager, lifeguards, or designated staff.
9. The CDD Board, Property Manager, and staff, are not responsible for lost or stolen items.
10. No food is allowed anywhere in the pool area unless approved by the Property Manager for an event. Water, soft drinks, juice, etc., are permitted in plastic bottles or thermoses only. Alcoholic beverages are not allowed in the pool area.
11. Smoking is prohibited within the pool enclosure.
12. The volume of electronic equipment must be kept low enough so as not to disturb others. Use of personal headphone equipment is preferred.
13. Persons using the pool area must cooperate in keeping the area clean by properly disposing of drink containers, trash, etc., and taking all personal items such as towels and magazines with them.
14. Everyone must shower before entering the pool.
15. Urinating in the pool is not allowed.

16. All persons must refrain from any conduct that is hazardous or dangerous in any way to themselves or others. No diving, running, horseplay, dunking, etc., will be permitted. Noisy activity that disturbs others will not be allowed. Activity that results in splashing others using the pool deck is not allowed.
17. The pool deck cannot be used for tanning or any other activity when the pool area is closed.
18. Children not toilet trained or requiring the use of diapers must wear an approved swimsuit diaper that fits snugly around the waist and legs and are only permitted in the children's wading pool.
19. Diapers may not be changed in the pool area. Diapers can be changed in the pavilion restrooms.
20. The swimming pool bathing load is 108 people. The Property Manager, his/her designee, and lifeguards are authorized to deny persons access into the pool when the capacity is reached.
21. Although lifeguards are on duty, use of the pool area at any time is at the person's own risk and swimming is at the person's own risk.
22. The children's wading pool is limited to children 6 years of age or younger. The baby wading pool has a bathing load of 4 children. All rules related to the pool area apply to the children's wading pool except that, due to meeting the required chemical balance, this wading pool is subject to more frequent closures.

D. Fitness Center

1. Equipment must be used in an appropriate and safe manner. Use of exercise equipment is at the users' own risk. The CDD is not responsible for injuries incurred by any resident or guest in the exercise room.

2. Children under the age of 16 must be accompanied and supervised by a parent.
3. Children under the age of 12 are not allowed in the exercise area. There is a play area designated for their use and they must remain in this area while parent is engaged in activity in the exercise room.
4. The exercise room is open 5 a.m. to 10 p.m. every day.
5. Food and beverages, except for bottled water, are not permitted around the exercise equipment or while operating any equipment.
6. The CDD is not responsible for lost or stolen items in the exercise facility. Lockers are available only while using exercise area.
7. The Fitness Center is only available to residents, passholders and their guests. Guests are limited to two per resident or passholder and must be accompanied by the resident or passholder.

E. Playground and Gazebo Park

1. Use of the Playground and Gazebo park is limited to residents, passholders and guests.
2. Use of the park is limited to children under the age of 12.
3. All children must be accompanied by a parent or person over the age of 14.
4. Use of the park is at the users' own risk.

**1.07 Policies, Procedures, Charges and Regulations for the Lodge and Pavilion**

A. General Rules Regarding Use of the Lodge and/or Pavilion

1. Use of the Lodge and/or Pavilion is restricted to residents of Piney-Z, their family members living in Piney-Z, passholders and their families, and the guests of residents or passholders and their families
2. Reservation of these facilities is on a first come/first served basis. Due to demand for the Lodge/Pavilion, reservations shall be limited to no more than once a month. However, if the facilities have not been reserved 2 weeks before a second requested date within that same month, they may be reserved again within the same month. As a general matter, only one member of a resident's or passholder's household may reserve the facilities within these time frames. However, the Property Manager may allow exceptions if the reservations are for different functions.
3. The Property Manager may schedule a reservation request for an event which requires multiple related functions over a 2-3 day period. Fees charged shall be at the highest rate for each day. An example of this is where the Lodge is needed for a Thursday setup, a Friday rehearsal dinner and a Saturday wedding and reception. Other examples would be Friday and Saturday events for a family reunion or a workshop for office staff.
4. The resident or passholder reserving the Lodge/Pavilion is responsible for actions of all guests and must be present at all times while the Lodge/Pavilion is occupied. The condition of Lodge/Pavilion must be returned to its condition upon Rental immediately following the event. Violations of these regulations can result in shutting down the event and loss of privileges of the resident or passholder to use the Lodge/Pavilion. There should always be an adult at least 25 years old present at all gatherings for those under the age of 18.

5. Use of any items (such as linens, tables, chairs, punch bowls, etc.) must be arranged by the resident or passholder. All equipment that is kept at the Lodge/Pavilion must be cleaned and put away in designated areas.
6. Reservations of the Lodge/Pavilion shall be limited to no more than 6 hours per function including set-up and clean-up. Additional time can be added for an additional fee. However, decorations may be left at the facilities the day of the function if arrangements are made with the Property Manager and it does not interfere with other functions taking place the same day.

Residents issued keys for their event should not enter the Lodge or Pavilion area at a time other than their reservation unless arranged in advance. (The alarm system may be armed or maintenance underway.)

Functions may last no longer than midnight except for New Year's Eve parties and other events which traditionally extend beyond midnight.

**B. Fees and Charges Regarding Lodge/Pavilion/Swimming Pool**

1. Residents and passholders are encouraged to rent the Lodge, Pavilion or Swimming Pool in accordance with these policies for personal parties, meetings or events.

There will be a payment of a Use/Rental fee each time the Lodge/Pavilion is reserved to help cover the general costs associated with the operation of the facilities such as toiletries, cleaning supplies, utilities, and wear and tear on equipment, etc. It also includes the janitorial costs and labor incurred by the CDD after rental. Use/Rental fees for a reservation (six hours or less) are as follows:

**BASE FEE \$150 for all residents and Passholders and for each Amenity area reserved.**

ADDITIONAL FEE paid in addition to Base Fee for each Amenity area reserved.

1-25 people	- 0 -
26-50 people	\$100
51-111 people	\$250
(Note: Lodge capacity 111/Pool Capacity 108)	
112-400 people	\$350 (Pavilion only)
Additional hours:	\$25 per hour per Amenity area

Note that reservation of the swimming pool also requires the additional payment for appropriate number of lifeguards.

Hours for the event may be extended with an additional payment of \$25 if the request is made 14 days or less from the event and the extension doesn't conflict with the Lodge or Pavilion calendar. The event may not be extended beyond midnight except for an event that traditionally goes beyond midnight such as a New Year's Eve party.

2. There will also be a \$500 deposit collected at the time the reservation is made for any damages or costs incurred in restoring the facilities to original condition. A signed contract will be required with all reservations with the resident or passholder making the reservation agreeing to pay any additional charges if damages exceed the deposit or if clean up fees exceed those established with the Use/Rental fee.

Any damages above these deposits will be the responsibility of the resident or passholder reserving these facilities. This deposit is refundable if, after inspection of facilities by the CDD representative, there is no damage or unusual cost for clean up pursuant to the contract.

3. Exempt from these fees are events sponsored by the homeowners association or CDD (example: Fourth of July party, Community Christmas party, homeowners meetings, committee events, etc.) and any event sponsored by Piney Z, Ltd. or Piney Z Development, Inc.
4. All fees and deposits shall be by check, money order or, when available, by credit card.
5. If a reservation is cancelled 14 days or less of the date reserved, the fee will be forfeited. The fee shall not be forfeited if an event is cancelled by reason of a death in the family or other such unusual occurrence at the discretion of the Property Manager. Notwithstanding whether a reservation is cancelled within 14 days, the base fee shall not be refundable except for reason of a death in the family or such other unusual occurrence, again at the discretion of the Property Manager.
6. Areas that are not locked off that require a fee such as the Pavilion may not be used without payment of the required fee. No parties, classes or events may be held on CDD property or green space without permission from the Property Manager.

C. Contract and Management of Piney-Z Amenities.

1. A reservation contract must be executed and the fees and deposit collected before a reservation may be confirmed.
2. The Property Manager will keep records and copies of all reservation transactions, send deposits and expense invoices to the CDD accountants, and review CDD accounting statements. Copies of all documents and an annual calendar of reservations shall be made available to the Chair of the District Board of Supervisors and any Supervisor upon request.