

**AMENDED AND RESTATED RULES
GOVERNING THE USE OF THE
RECREATIONAL AND OTHER DISTRICT
FACILITIES OF THE CORAL BAY
COMMUNITY DEVELOPMENT DISTRICT**

Revised November 14, 2013

**AMENDED AND RESTATED RULES GOVERNING
THE USE THE RECREATIONAL AND OTHER DISTRICT FACILITIES
OF THE CORAL BAY COMMUNITY DEVELOPMENT DISTRICT**

1.0 Definitions.

- 1.1 “Clubhouse” shall mean and include the office, meeting room and parking lot located on the tract of land having Broward County Folio No. 484124320031.
- 1.2 “District” shall mean the Coral Bay Community Development District.
- 1.3 “District Facilities” shall mean the clubhouse, pools, parks, basketball/multi-purpose court, tennis courts, playground (a/k/a Tot Lot), and recreational facilities owned, maintained, and operated by the District.
- 1.4 “District Parking Areas” shall include the parking spaces and lots located at the Clubhouse and immediately adjacent to the Tot Lot and tennis and multi-purpose courts.
- 1.5 “Gate Facilities” shall mean the gate mechanisms, gate arms, gate houses, bollards, cameras, equipment and related facilities owned, operated or maintained by the District.
- 1.6 “Lake Maintenance Easement” shall mean the twenty (20’) foot wide lake maintenance easement that is located adjacent to the Stormwater Management Areas, and which is more particularly shown on various plats of property within the boundaries of the District, as recorded in the public records of Broward County, Florida.
- 1.7 “Park” or “Parks” shall mean and include those tracts of land having Broward County Folio Nos. 484124320031 (Clubhouse), 484124181990 (Peninsula Park), 484124120040 (Tot Lot), 484124200100 (open space), 484124200050 (tennis/multi-purpose courts area), and 484124250010 (Fay’s Cove Pool and recreation area), as well as any other open space areas owned or maintained by the District.
- 1.8 “Pool” or “Pools” shall mean the three (3) pools, and related facilities, if any, owned and operated by the District, including the pool adjacent to the Clubhouse, the pool at Fay’s Cove, and the pool at Peninsula Park.
- 1.9 “Stormwater Management Areas” shall mean the lakes, canals and drainage areas, and includes, but is not limited to those tracts of land having Broward County Folio Nos. 48424181990, 484124200030, 484124211780, 484124211790, 484124220020, 484124230020, 484124250020, 484124260020, 484124320040, 484124320050, 484124320060, 484124320070, 484124320080.

2.0 Parking and Road Right-Of-Way.

- 2.1 Any vehicle parked in violation of District parking rules as set forth herein may be towed at the vehicle owner's expense by a towing contractor approved by the District Board of Supervisors. All other traffic and parking rules and regulations of the City of Margate or the State of Florida, including the requirements of Chapter 316, Florida Statutes, are to be enforced by the City of Margate Police Department or approved law enforcement agency having jurisdiction thereof.
- 2.2 Except as otherwise provided by resolution of the Board of Supervisors, between the hours of 2:00 A.M. and 6:00 A.M., parking is prohibited within all District Parking Areas, and on-street parking is prohibited on all District streets, roadways, thoroughfares, or rights-of-way. Vehicles shall not park in any manner which has the effect of disrupting the normal flow of traffic or which would block the ingress or egress of trucks and emergency vehicles or require such vehicles to leave the paved surface to pass. Vehicles parked at District Parking Areas shall be parked within spaces designated or marked for vehicular parking.
- 2.3 Parking is prohibited upon or within all non-paved District property including but not limited to, landscaped areas within or adjacent to any District's right-of-way. This prohibition shall remain in effect twenty-four (24) hours per day, seven (7) days per week.
- 2.4 When permitted pursuant to Section 2.1, parking at the Tot Lot or tennis court lot parking areas is limited to two (2) consecutive hours in a particular parking space, as posted.
- 2.5 Marked law enforcement vehicles are exempt from the parking rules prohibiting on-street parking between the hours of 2:00 A.M. and 6:00 A.M.
- 2.6 The enforcement of these parking rules may be suspended in whole or in part for specified periods of time, as determined by the District.
- 2.7 No vehicle maintenance or repair shall be permitted over or on any portion of the District road rights-of-way or property, or District Facilities.
- 2.8 All landscaping and grassed areas adjacent to any District road right-of-way shall be regularly mowed and be maintained by the property owner whose property fronts such area so that there is a twelve (12') foot minimum clearance between the roadway surface and the bottom of the canopy of any overhanging tree, plant, shrubs, or other landscaping.
- 2.9 Anyone operating a motor vehicle upon District road right-of-way shall do so in accordance with Florida law and posted speed limits and traffic regulations.

3.0 Rules Governing the Use and Operation of District Facilities.

3.1 Responsibility for Personal Property and Persons. Each person using District Facilities assumes sole responsibility for the health, safety and welfare of such person, his or her immediate family members, guests, and the personal property of all of the foregoing.

3.1.1 The District is not responsible for any loss or damage to any private property used or stored on the District Facilities. Without limiting the foregoing, any person parking a vehicle within the District Parking Areas assumes all risk of loss with respect to his or her vehicle in the District Parking Areas; equipment, jewelry or other possessions stored on bicycles, or within or on vehicles; and wallets, books and clothing left in the Pools, Parks, or other District Facilities.

3.1.2 Any person who, in any manner, makes use of, or accepts the use of, any apparatus, appliance, facility, privilege or service whatsoever owned, leased or operated by the District, or who engages in any contest, game, function, exercise, competition or other activity operated, organized, arranged or sponsored by the District, either on or off the District Property, shall do so at their own risk. Every person shall be liable for any property damage and/or personal injury at a District Facility, or at any activity or function operated, organized, arranged or sponsored by the District, caused by such person.

3.1.3 Indemnification of District and District Manager. In addition, each person using the District Facilities, by entering onto a District Facility, agrees to indemnify and hold harmless District and District Manager, and their respective officers, partners, agents, employees, affiliates, directors and attorneys (collectively, "Indemnified Parties"), against any and all actions, injury, claims, loss, liability, damages, costs and expenses of any kind or nature whatsoever ("Losses") incurred by or asserted against any of the Indemnified Parties from and after the date hereof, whether direct, indirect, or consequential, as a result of or in any way related to such person's use of the District Facilities, or the interpretation of these Rules (and any supplemental rules and regulations) and/or from any act or omission of the District or of any of the Indemnified Parties.

3.1.4 Attorneys' Fees. Should any person bring suit against District or District Manager or any of the Indemnified Parties for any claim or matter and fail to obtain judgment therein against such Indemnified Parties, said person shall be liable, jointly and severally, to such parties for all Losses, costs and expenses incurred by the Indemnified Parties in the defense of such suit, including attorney's fees, paraprofessional fees, and court costs and expenses incurred at (or prior to) trial and upon appeal.

3.2 District Facilities may be utilized in accordance with these Rules by Coral Bay residents and their guests only; however, non-residents may purchase annual memberships at rates based on benefit and allocation of costs, as may be determined by the Board of Supervisors.

- 3.3 The hours of operation for District Facilities shall be determined by resolution of the Board of Supervisors, and may be amended from time to time by resolution of the Board of Supervisors.
- 3.4 Children under the age of twelve (12) years old shall be accompanied and supervised at all times by an adult when using the Pools and Parks.
- 3.5 Any portion or area of the Clubhouse, Park, Pool, or other District Facilities may be declared closed to the public at any time or may be reasonably limited to certain users as determined on a case-by-case basis by the District.
- 3.6 Clubhouse, Park, Pool or other District property, facilities, and equipment shall be used solely for the purpose or purposes for which they were designed and designated.
- 3.7 No bicycles, skateboards, rip-stiks, roller blades, roller skates, or similar devices shall be used, possessed or placed on the tennis courts, tennis court surfaces, or pool decks at any time. Bicycle racks shall be used where provided by District. Notwithstanding the foregoing, bicycles left at District Facilities and bicycle storage racks (if provided) are stored at the bicycle owner's own risk. The tennis courts may be utilized for tennis only due to the potential for damage to its special-purpose surface. The basketball court shall be considered the multi-purpose court and may be used by persons for basketball, volleyball, roller blading, roller skating, skateboarding, or other legitimate sporting activity, provided such use does not have the inherent potential of damaging the multi-purpose court surface.
- 3.8 No person shall cut, curve, or injure the bark or break off limbs or branches, or mutilate in any way, trees, plants, or flowers located or growing on District property. The removal of any plant or landscaping material from District property is strictly prohibited and will be prosecuted to the fullest extent of the law.
- 3.9 Dogs and all other pets (with the exception of Service Animals as defined by Florida law) are not permitted on, over, within, or in any portion of Clubhouse, Pools, Parks, Tot Lot, tennis courts, or basketball court. With respect to those District Facilities or properties where dogs and other pets are not specifically prohibited, all such animals shall be leashed at all times and the individual(s) immediately responsible for the animal shall be required to pick up and properly dispose of all animal waste from such animal.
- 3.10 Persons using District Facilities shall be responsible at all times for the clean up and proper disposal of food and beverages, their containers and packaging, and other trash and debris generated by such person(s). Trash generated outside of the District Facilities shall not be disposed of in any District-owned trash receptacle(s).
- 3.11 With the exception of items sold by the District in connection with the operation and management of the District, no goods, articles, services or items of any kind shall be displayed, sold or offered for sale from District property. Commercial advertisements, private announcements (with the exception of notices posted at approved locations by homeowners associations or the District within Coral Bay), pamphlets, snipe signs, and

solicitations shall not be posted or circulated at or from any District property without the prior approval of the District Manager. No political signs for any local, county, state, national, association, or special district elections, shall be placed or posted on or upon any District Facilities or District-owned property, including but not limited to the District rights-of-way. Any signs posted in violation of this section will be removed and properly disposed of by the District.

- 3.12 No person or persons utilizing District Facilities shall play or operate any sound amplification device, including but not limited to radios, televisions, stereo systems, public address systems, amplified musical instruments or any other sound generating device, which may be considered a nuisance, offensive or disturbing to other persons utilizing the District Facilities or properties adjacent thereto. Notwithstanding the above, District security facilities are specifically exempted from this rule.
- 3.13 The possession or consumption of alcoholic beverages is prohibited at all District Facilities, except within the Clubhouse Meeting Room in connection with an event at the Clubhouse, which event is the subject of a District-approved Facility Rental Agreement.
- 3.14 Motorized vehicles, including mopeds and gopeds, are prohibited within the Parks, except in designated parking areas or public roadways and as permitted by applicable law.
- 3.15 Fires, campfires, bonfires, or fires of any nature are prohibited at all District Facilities, except for gas or charcoal grills at locations and for events approved by the District Board of Supervisors. The possession or use of fireworks of any kind is prohibited at the Parks, Pools, and Clubhouse.
- 3.16 Smoking is prohibited within the Clubhouse and within any other enclosed District facility. Cigarettes, cigars, pipes, and other sundries or tobacco products shall be deposited in appropriate receptacles.
- 3.17 No gambling of any kind, as defined by Florida law, is permitted at any of the District Facilities.
- 3.18 Climbing or traversing District fences and walls is prohibited.
- 3.19 Obscene language, profanity, and loud and abusive language is prohibited at all District facilities.
- 3.20 The office at the Clubhouse is for the use of District staff only and is not open to the public for public use. Public accessibility to the office at the Clubhouse is limited to those times when District staff is present and hosting office hours or appointments with the public.

4.0 Stormwater Management Areas.

- 4.1 No motorized watercraft shall be utilized within the Stormwater Management Areas with the exception of electrically/battery powered engines. The use of all other gas-combustible motors and engines is prohibited. Those individuals on a vessel utilizing a gas engine or motor within the Stormwater Management Areas shall be considered as trespassing on District property and such individuals, vessels and vessel owner(s) may be banned from future use of the Stormwater Management Areas after a hearing before the Board of Supervisors. Notwithstanding the above, any District contractors engaged in installing, constructing, repairing, or maintaining District improvements pursuant to a contract with the District, shall be exempt from the provisions of this section.
- 4.2 Swimming in any of the Stormwater Management Areas is strictly prohibited.
- 4.3 Permitted non-motorized and electric vessel may be launched from each resident's own waterfront property or from the District boat launch located adjacent to the Clubhouse. The launching of any vessel from District property, other than the boat ramp or from another person's private property is prohibited.
- 4.4 No vessel may be anchored in the Stormwater Management Areas unless a person is fishing from or present within said watercraft. Any vessel, including, but not limited to, canoes, kayaks, and paddle boats, stored, tied, or affixed to a lake or canal bank shall immediately be removed from the bank and lake maintenance easement and properly secured in the event of a Hurricane Watch, announced by the National Hurricane Center, over an area that includes Coral Bay. Those vessels stored, tied, or affixed to a dock properly permitted in accordance with section 4.6 of these Rules shall immediately be secured by the owner upon the announcement of such a Hurricane Watch.
- 4.5 Provided that the individual possesses the proper fishing license, as required by Florida law, fishing is permitted in the Stormwater Management Areas except in those locations where it is posted "No Fishing," as designated by the District Board of Supervisors
- 4.6 Except as otherwise posted, public fishing along or from the lake banks is only permitted from the Parks and other District-owned properties adjacent to the Stormwater Management Areas.
- 4.7 Those fishing shall remove and properly dispose of all garbage, fishing line, hooks, and other refuse.
- 4.8 Nothing herein shall prohibit residential property owners from fishing from the lake banks immediately behind their respective residential property(ies).
- 4.9 The District has a catch and release policy, for all fish and any other aquatic wildlife caught in the Stormwater Management Areas, requiring that any fish or other aquatic wildlife caught immediately be returned to the Stormwater Management Areas from where it was caught. Notwithstanding the above, those species designated by the Florida

Fish & Wildlife Conservation Commission as Non-Native Prohibited Fish (i.e. snakeheads, airbreathing catfish, piranha, or tilapia) may be removed from the Stormwater Management Areas and properly disposed of in accordance with Florida law.

- 4.10 The general public does not have the right to utilize, for any purpose, the Lake Maintenance Easement that runs behind private property and adjacent to the Stormwater Management Areas without the permission of the private property owner.
- 4.11 The feeding of ducks and other wildlife from or on any District property is strictly prohibited.
- 4.12 Violations of the policies set forth in sections 4.5 through 4.11 will be reported to the local authorities.
- 4.13 Private docks or residential docks behind and adjacent to residential properties, are prohibited, unless constructed in accordance with District-approved specifications and after first obtaining a dock permit from the District. No docks, whether permanently affixed or floating, are permitted except those constructed in strict accordance with this subsection and the approved specifications of the District. This rule is not applicable to public docks constructed by the District on District-owned property for the benefit of the public.
- 4.14 No property owner or person shall alter or modify the designed Stormwater Management Areas, the lake or canal banks, or the slope thereof, without first obtaining a permit from the District and provided such alteration or modification does not violate any other permit condition, rule, regulation, ordinance or design standard. Permit fees and standards may be established by resolution of the Board of Supervisors.
- 4.15 No property owner or person shall permit the encroachment of any structure, fence, impervious surface, tree, or landscaping material other than sod into, over, on, under or within the Lake Maintenance Easement without the express authority of the District Board of Supervisors. Such permission shall be evidenced by an Encroachment Agreement, in a form approved by the District, between the property owner and the District. Encroachment Agreements will be considered by the District on a case-by-case basis upon the petition of the property owner. No Encroachment Agreement shall be approved by the Board if the encroachment blocks, hinders, or otherwise restricts ingress and egress, in any way, by more that twenty-five (25%) of the width of the Lake Maintenance Easement.

5.0 Rules Governing Utilization of the Pool and Related Facilities.

- 5.1 **NO LIFEGUARDS ARE PRESENT AT DISTRICT POOLS.** Use of the Pools is at the swimmer's own risk. Without limiting any other provision of these Rules, each person is personally liable and responsible for his or her negligence, acts, and omissions.

- 5.2 Notwithstanding the Pool hours as determined by Resolution of the Board of Supervisors, swimming after sunset and when dark is prohibited except where lighting is provided.
- 5.3 Pools shall be considered closed and all patrons shall immediately exit the Pools and the pool deck and seek cover upon any sign of lightning or thunderstorms until such storm-related weather has left the area.
- 5.4 Users of the Pools shall shower before to entering the pool in order to remove suntan oils and lotions and other substances that could adversely impact the quality of the pool water.
- 5.5 All children under the age of twelve (12) and utilizing the Pools shall be accompanied and supervised at all times by an adult.
- 5.6 Pool furniture shall not be removed from the Pool areas and decks. All persons using pool furniture must cover the furniture with a towel when using suntan lotions. The use of these lotions could stain or damage the furniture. The repair of furniture damaged by such products shall be the responsibility of the user of such equipment.
- 5.7 No food, beverages of any kind shall be permitted in the pool or within ten (10') feet of the waters edge of the pool.
- 5.8 Glass containers of any kind, including but not limited to bottles and beverage glasses, are prohibited in the pools or anywhere over or on the pool decks. Alcoholic beverages are prohibited pursuant to Section 3.13 of these Rules.
- 5.9 Persons with infectious or contagious health conditions are not permitted in the Pools.
- 5.10 Diving, jumping, running or other horseplay is prohibited in the Pools and at the pool areas.
- 5.11 No one shall pollute the pools; anyone who does so is liable for any costs incurred in treating or correcting the problem.
- 5.12 All persons using the Pools must wear appropriate swimming attire. Thongs, cut-offs, shorts, and attire in which an individual's underwear can be seen are not considered appropriate swimwear. Long hair should be tied up or placed in a bathing cap. Children under three (3) years of age, and those individuals who are not reliably toilet trained, must wear rubber-lined swim diapers, as well as a swimsuit over the swim diaper, to reduce the health risks associated with human waste in the Pools and adjacent deck areas.
- 5.13 Only floats or rafts smaller than eighteen (18) square feet, snorkels, dive sticks, flotation devices, and toys (collectively, "Pool Toys") designed for use in swimming areas may be utilized in District pools. The use of such Pool Toys shall be suspended when there is more than ten (10) persons using the particular Pool. Radio-controlled watercraft or other similar devices are not permitted in the Pools at anytime.

6.0 Rules Governing Use of Clubhouse Meeting Room.

- 6.1 The Clubhouse Meeting Room is available for rental during regular hours of operation and reservations may not be made more than four (4) months prior to the event. Facility rental rates and limits on the number of occasions per any calendar year that each unit within the District may rent the Clubhouse Meeting Room may be established by resolution of the District Board of Supervisors based on resident population within the District and the demand for use of the space. Persons interested in renting the Clubhouse Meeting Room should contact the District Manager regarding the anticipated date and time of the event to determine availability.
- 6.2 All persons desiring the rent the Clubhouse Meeting Room for a private event shall be required to enter into a Facility Rental Agreement in a form approved by the District.
- 6.3 Notwithstanding the above, the homeowners' associations serving properties within the boundaries of the District shall be exempt from the requirements of this section, but such associations shall coordinate use of the Clubhouse Meeting Room with the District Manager.

7.0 Suspension of Privileges.

- 7.1 Privileges at District Facilities can be subject to suspension by the District Manager, in the sole judgment of the District Manager, if it is determined that the person has engaged in any of the following:
- Exhibits unsatisfactory behavior, deportment or appearance.
 - Fails to abide by these Rules established to govern the use of the District Facilities.
 - Treats the personnel, agents, or employees of the District in an unreasonable or abusive manner.
 - The person has injured or harmed or threatened to injure or harm any other person within, at or while on or using District Facilities, or harmed, destroyed or stole any personal property within, at or while on or using any District Facility, whether belonging to a third party or to District.
 - Engages in conduct that is improper or which risks endangering the welfare, safety or reputation of the District, its personnel, agents, or employees or the general public.
 - The person has failed to pay the District for any monies due District, for past due assessments, fees, charges, or damages caused by such person or his or her family members or guest(s).

Suspension of privileges could include the de-activation of all gate access cards and transponders issued to a particular unit within the District where the violator resides.

- 7.2 Types of Suspension. District Manager may restrict or suspend, for cause or causes

described in the preceding section, privileges of any person to use any or all of the District Facilities, for such period of time as reasonably determined by District Manager, as the case may be, but for periods no longer than one (1) year per violation. In addition, District Manager may suspend some privileges, while allowing a person to continue to exercise other privileges. For example, District Manager may suspend the rights of a particular person residing at a unit within the District, or District Manager may prohibit a particular person from using the pools or other District Facilities. Any suspension shall be in writing and sent by the District Manager to the suspended person(s) at the address on file with the District.

7.3 The District shall follow the provisions below with regards to the Suspension of a minor's privileges:

- a. At the discretion of District staff, Minors (*children under the age of eighteen*), who violate the rules and policies may be expelled from the facilities for one (1) week. Upon such expulsion, a written report shall be prepared detailing the name of the minor, the prohibited act committed, and the date. This report will be kept on file at the District office and a copy shall be provided to a parent or legal guardian of the minor by U.S. Mail and by certified mail, return receipt requested.
- b. Any minor who is expelled from the facilities three (3) times in any one (1) year period, may have their District Facility privileges suspended for up to one (1) calendar year from the date of the third offense. A minor who has his or her District Facility privileges suspended may still use the District Facilities when accompanied by a parent or legal guardian.

7.4 No person whose privileges have been fully or partially suspended pursuant to these Rules shall on account of any such suspension be entitled to any refund of assessments or any other District fees and charges. During the suspension, assessments and other District fees and charges shall continue to accrue and be payable when due. During the restriction or suspension, applicable District assessments, fees, and charges shall continue to accrue and be payable when due. Under no circumstance will a person be reinstated until all amounts due to the District, including but not limited to any amounts arising out of or in any way connected to damage caused to the District Facilities by said person, his or her family member(s) or guests, are paid in full.

7.5 Appeal of Suspension. Any person suspended by the District Manager pursuant to this Section 7 may appeal such suspension to the District Board of Supervisors. Appeals must be in writing and shall be filed with the District Manager within forty-five (45) days of the date of the suspension letter. The Board of Supervisors will then schedule the appeal to be heard during the next regularly scheduled public meeting of the Board of Supervisors. However, appeals filed within five (5) business days of the next regularly scheduled Board meeting will be heard at the Board meeting following the next regularly scheduled Board meeting. During the meeting of the Board of Supervisors in which the appeal is to be heard, the person or persons suspended shall appear before the Board. The Board of Supervisors shall have the power to reduce, remove, or impose conditions related thereto, but not increase the length of the suspension.

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