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## **HARBOURAGE AT BRADEN RIVER COMMUNITY DEVELOPMENT DISTRICT RECREATION FACILITY RULES AND REGULATIONS**

The following rules and regulations have been established for the benefit of all users of the swimming pool, recreational center (including but not limited to, the clubhouse, game room, bar/pool table room and fitness room) and other recreational amenities or facilities owned, operated or maintained by the Harbourage at Braden River Community Development District to assure the safe operation of the pool and other recreational facilities and to provide enjoyable recreation for all.

Users are requested to cooperate in observing these rules and to obey the instructions of the District, its Board, agents, appointees, management, employees and staff. Users violating these rules are subject to the revocation of their swimming and recreational facilities use privileges. The District reserves the right to refuse admittance into any District facility when the capacity of the facility, such as the pool, has been reached or when otherwise deemed necessary for the health, welfare or safety of the users.

The District may amend, modify or expand these rules and regulations, at any time, and its instruction must be followed at all times. Any questions or concerns regarding these rules and regulations should be directed to the District Management: Jennifer Goldyn, Rizzetta & Company, (813) 533-2950, [jgoldyn@rizzetta.com](mailto:jgoldyn@rizzetta.com).

**“Facilities”** shall mean the clubhouse, pool, spa, pool and spa deck, pool cabanas, grill porch, fitness center, and parking area, docks, kayak/canoe launch, and walk ways within the District’s property located at or near 5705 Key West Place, Bradenton, FL 34203.

**“District”** shall mean the Harbourage at Braden River Community Development District and shall include duly authorized representatives or agents of the District, including the Operations Manager.

**“Resident”** shall mean any property owner that resides at a Harborage property either on a full or part-time basis exclusively (non-rental), or the registered lessee of the property with a minimum four (4) month property lease agreement.

**“User”** shall mean any resident and their guests, families, employees, contractors, agents and invitees.

### **GENERAL FACILITY RULES / ADMISSION POLICIES**

1. All persons entering the facilities must pay the appropriate admission fee as approved by the District. For residents of the District, the admission fee shall be paid via the annual District operation and maintenance assessments. For non-residents of the District, the admission fee shall be paid yearly, in advance, shall be non-refundable, non-transferable, and shall be the maximum District operation and maintenance assessment paid by a resident then-in effect. Each Lot in the District, which is current in the payment of all District assessments, shall receive up to three (3) amenity fobs (subject to a purchase fee) for admittance to the pool and other recreational facilities, which shall entitle admission to the facilities by the residents of each Lot, including their permitted guests (as further set forth in the Declaration of Covenants, Conditions and Restrictions for Harbourage at Braden River and any rules and regulations therewith). All amenity fobs must be returned to the District upon demand or

discontinuance of use of the facilities, and a charge as set forth by the District will be required for each amenity fob not returned to the District or requested as a replacement for a lost or damaged amenity fob.

2. Residents are limited to a maximum number of four (4) guests per household and must be accompanied by a household member of at least 18 years of age. Any patron bringing more than four (4) guests to the facilities must complete a Private Event Agreement and pay the applicable deposit(s) prior to the event.
3. No one will be allowed in facilities unless they are officially open; times of operation and use shall be posted outside the pool and facilities. Entering the facilities when they are not open for use is punishable by criminal prosecution. Permission to use the facilities will be granted upon the condition that all rules and regulations will be followed. Permission may be revoked at any time for anyone who fails to comply with District staff direction or rules and regulations
4. **NO LIFEGUARDS ARE ON DUTY. ALL PERSONS ENTERING THE POOL FACILITY SHALL UNDERSTAND AND ACKNOWLEDGE THE INHERENT RISKS IN SWIMMING AND ENTERING THE WATER, AND DO SO AT HIS/HER OWN RISK, AND BY DOING SO, DO HEREBY AGREE TO FOREVER RELEASE, DISCHARGE, INDEMNIFY AND HOLD HARMLESS THE DISTRICT, ITS AGENTS, STAFF, BOARD, MANAGERS, EMPLOYEES, AND ASSIGNS FROM ANY AND ALL LIABILITY, ACT, LOSS, DAMAGE, INJURY, INCLUDING DEATH, WHICH MAY OCCUR BY USE OF THE POOL FACILITY. THE DISTRICT OWES NO DUTY OF SUPERVISION TO ANYONE USING THE POOL FACILITY AND THE DISTRICT PROVIDES NO SUPERVISION OR LIFEGUARDS FOR THOSE ENTERING THE WATER.**
5. The following age restrictions are hereby established for the recreational facilities:
  - a. Clubhouse - No one under 18 years of age is permitted unless accompanied by a parent or legal guardian.
  - b. Pool - No one under 14 years of age is permitted unless accompanied by a parent or legal guardian. Children under 6 years old need to have a responsible parent or guardian in the water with them and within arm's reach at all times. Children must not be left unattended or unsupervised
  - c. Spa – No one under 14 years of age is permitted unless accompanied by a parent or legal guardian.
  - d. Fitness Center – No one under 11 years of age are permitted at any time. This includes strollers, baby carriers and children sitting inside the fitness room area while a parent/guardian is exercising. Teens between the ages of 12-17 may use the fitness room equipment when accompanied by a parent or legal guardian.
6. Food or refreshments may be consumed only in designated areas, not in the pool. No glass containers shall be permitted anywhere in the pool facility, as per Chapter 64(E)-9 of the Florida Administrative Code.
7. Smoking, vaping, or chewing tobacco is not permitted in any of the facilities including restrooms, fitness center and breezeway. Illegal substances are not permitted. Responsible alcohol consumption for users 21 years of age or older is permitted; excessive consumption of alcohol or public intoxication is not permitted and will be criminally prosecuted.
8. All refuse and waste papers must be deposited in designated receptacles.
9. All bags, baskets and coolers are subject to inspection. No grills, gas or electric cooking devices may be brought into the pool facility.
10. Pets are not permitted in or on the facilities. Service animals are permitted.
11. The District is not responsible for personal property or valuables at any time.
12. All users within the pool must be attired in appropriate and proper swimming apparel. Clothing such as cut-offs, gym shorts, and underwear is not permitted as swimwear. The swimming pool and decks must be maintained in a sanitary manner for the protection of bathers.

13. No person within the facilities shall behave in such a manner as to jeopardize the safety and health of himself/herself and others. Such behavior, including abusive or profane language, shall be grounds for expulsion. All users shall conduct himself/herself in a manner consistent with the "Family-Friendly Environment" of the facilities. Loitering will not be permitted on the pool grounds or within any of its facilities.
14. The District assumes no liability whatsoever for injuries or damages arising from the results of participation in the pool or other recreational facilities. Due to the strenuous nature of some activities, the participant is advised to consult his/her physician concerning fitness to participate. All activities present certain inherent risks and hazards which the participant assumes.
15. All sounds emanating from the facilities, including talking, singing, audio equipment, or musical instruments shall be maintained at such volume as to not become a nuisance or unreasonable annoyance to others at or near the facility.
16. No skateboarding, roller skates, rollerblades, or bicycles are permitted in the facilities (bicycles ridden to the facilities must be stored in appropriate bike racks outside the facilities).
17. Windows in the facilities may not be open except in case of an emergency.
18. Furniture, such as tables, chairs, etc., shall be returned to their original location if moved.

### **ADDITIONAL RECREATION FACILITY RULES**

#### **CLUBHOUSE: HOURS: 7:00 AM – 10:00 PM**

1. Private use of the clubhouse must be scheduled in advance and does not include the use of the pool, porch, grill, spa or cabanas. Please contact the District Operations Manager for reservation information and requirements.
2. No wet bathing suits are to be worn inside of the clubhouse.
3. Turn off all lights, lock all doors and turn off televisions when leaving.

#### **FITNESS ROOM: HOURS: 5:00 AM – 10:00 PM**

1. Wipe off equipment after use.
2. Turn off all lights and fan when leaving.
3. Report any issues with equipment to the District Operations Manager.
4. Rubber soled shoes that cover the entire foot must be worn at all times. For health and safety reasons, sandals, spiked shoes, work boots and flip flop types of shoes are not permitted.
5. Shirts must be worn at all times. Bathing suits and jeans are not permitted in the fitness room.
6. Food is not permitted in the fitness room. Closed, plastic beverage containers are allowed.

7. Please be considerate of other users, wipe down equipment after each use.
8. Cardiovascular equipment use is limited to 30 minutes when people are waiting.
9. Using a spotter when lifting weights is recommended. The fitness room is not supervised and you are exercising at your own risk

**POOL/SPA AREA: HOURS: 7:00 AM – 10:00 PM**

1. Pool and spa area must be vacated by closing time or alarm will sound.
2. Enter the pool area through the pool gate NOT the clubhouse.
3. NO GLASS in the pool, spa, or on the pool deck.
4. NO FOOD or refreshments in the pool.
5. NO SMOKING, vaping, or chewing tobacco are allowed in the pool, spa, on the pool/spa deck, cabanas, or grill porch.
6. NO DOGS or other animals (except approved service animals) in the pool, spa, or on the pool deck.
7. All posted pool rules must be obeyed.
8. Return all furniture to original position after use.
9. Put all trash in trash containers.
10. No items may be brought into the pool except for life vests or similar flotation devices fitting on or around the person.
11. Infants/children who are not toilet trained and adults who are incontinent, who wish to enter any pool, must wear a clean diaper or disposable swim diaper covered by separate rubber/vinyl pants, all of which must fit snugly around the legs and waist. If the diaper becomes soiled, this person must leave the pool immediately, and may not return until he/she has taken or been given a soap shower and has been recovered by a new diaper with clean rubber/vinyl pants.
12. Persons under the influence of alcohol or drugs will not be permitted in the pool facility.
13. All users must take a cleansing soap shower before entering the pool/spa. Sun bathers SHOULD shower before each entrance into the water in order to rinse off perspiration, lotions, sunscreens, etc. Any person having a skin disease, sore or inflamed eyes, cold, nasal or ear discharge, communicable disease, or who is wearing any kind of adhesive patch, bandage or Band-Aid will not be permitted in the pool. Persons having any considerable area of sub-skin tissues, open blisters, cuts, etc., are warned that these are likely to become infected, and such persons may not use the pool.
14. For safety purposes the steps or ladders only should be used to enter pool or spa. ABSOLUTELY NO DIVING IS ALLOWED.

15. Running, boisterous or rough play, pushing, acrobatics, dunking, wrestling, splashing, yelling, diving or jumping haphazardly, snapping of towels, improper conduct causing undue disturbances on or about the pool area or any acts which would endanger any patron are strictly prohibited. Spitting, spouting water, blowing nose, urinating, or defecating in the pool is prohibited. No prolonged underwater swimming for time and or distance. Competitive and/or repetitive breath holding can be deadly and is not permitted. Hyperventilation is absolutely not permitted. Gum chewing is not permitted anywhere in the pool complex for health and safety reasons.

### **Enforcement of District Rules**

1. Failure to abide by these Rules and Regulations will result in a warning letter for the first offense. For criminal or other major offenses, the District may issue an immediate suspension without issuing a warning notice.
2. If the offense is repeated, access fobs will be suspended until the offending party being given all the rules and regulations in writing appears before the Board to explain why their recreation privileges should be re-instated.
3. Subsequent violations by the same party will result in an additional suspension of recreation privileges.
4. For damages to the District entrance gate or bars caused by vehicle strikes, the party will be assessed the cost for such repairs.

For more information contact Operations Manager, Tony Gipe (Rizzetta & Company) • (941) 727-5500 •