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## **HARBOURAGE AT BRADEN RIVER COMMUNITY DEVELOPMENT DISTRICT MARINA DOCKS, PICNIC AREA, TRAILS, PIER, AND KAYAK/CANOE LAUNCH RULES AND REGULATIONS**

All use of the facilities and all conduct of users in the facilities shall be in accordance with the provisions of these Rules and Regulations. These Rules and Regulations shall apply to each user of the facilities and have been established for the benefit of all users of lands and appurtenances owned, operated and maintained by the Harbourage at Braden River Community Development District, to assure the safe operation of such facilities. Additional Marina Rules and Regulations apply to residents with a valid Marina Boat Slip Lease Agreement.

“**Facilities**” shall mean the piers, docks, kayak/canoe storage area, trails, kayak/canoe launch area, gazebo, picnic areas, bulkheads, dock space, 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 Harbourage 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.

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 privileges. The District reserves the right to refuse admittance into any District facility, including the Facilities, when the capacity of the facility 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, when the District, in its sole and absolute discretion, determines the rules and regulations are in the best interests of the District and users. Any questions or concerns regarding these rules and regulations should be directed to the District’s Management: Jennifer Goldyn, Rizzetta & Company, (813) 533-2950, [jgoldyn@rizzetta.com](mailto:jgoldyn@rizzetta.com).

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

1. NO SWIMMING IS PERMITTED IN THE FACILITIES. NO LIFEGUARDS ARE ON DUTY. ALL PERSONS ENTERING UPON THE FACILITIES SHALL UNDERSTAND AND ACKNOWLEDGE THE INHERENT RISKS IN USING THE FACILITIES, INCLUDING THE INHERENT RISK ASSOCIATED WITH THE WATER ADJACENT THERETO, 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 ANY AND ALL USE, WHATSOEVER, OF THE FACILITIES. THE DISTRICT OWNS NO DUTY OF SUPERVISION TO ANYONE USING THE FACILITIES AND THE DISTRICT PROVIDES NO SUPERVISION OR LIFEGUARDS FOR THOSE ENTERING THE FACILITIES OR THE WATER.
2. The District reserves the right to establish times of operation, from time to time, by posting such times at the Facilities. Entering upon the Facilities when such entrance has been prohibited shall be punishable by fines

and/or criminal prosecution. Permission to use the Facilities may be revoked at any time for anyone who fails to comply with District staff direction or Facilities rules and regulations. Upon receiving a notice of violation of any District rule or regulation, the violator shall have fifteen (15) days in which to fully comply with said notice and these rules and regulations or risk revocation of all privileges to use the Facilities.

3. All users entering the Facilities area must pay the appropriate admission fee as set forth below. 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.
4. No one under the age of 16 shall be admitted in the Facilities unless accompanied by a parent or guardian.
5. No glass containers shall be permitted anywhere in the Facilities-
6. Smoking, vaping, or chewing tobacco is not permitted in any of the facilities. 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.
7. All refuse and waste papers must be deposited in designated receptacles.
8. No grills, gas or electric cooking devices may be operated in the Facilities.
9. The District is not responsible for personal property or valuables at any time.
10. 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 or about the Facilities or within any adjacent facilities. No improper conduct causing undue disturbances on or about the Facilities or any are within the District which would endanger any user or cause a nuisance, such as but not limited to, excessive noise, shall be permitted and are strictly prohibited.
11. The District assumes no liability whatsoever for injuries, including death, or property and other damages arising from the results of any use or participation in the Facilities. No security is provided at the Facilities.
12. All sounds emanating from the Facilities, including talking, singing, audio equipment, boat engines and the like, or musical instruments shall be maintained at such volume as to not become a nuisance or unreasonable annoyance to others at or near the Facilities, including all areas within the District.
13. No boat ramps or vehicular access to and from the Facilities is provided or permitted; all-terrain vehicles are included within the above definition of vehicles and are not permitted; no access by or parking of any vehicles, including all-terrain vehicles and boat trailers, is permitted.
14. Kayak and canoe storage is for residents only and available on a first-come-first-served basis. The District reserves the right to refuse vessel storage for any vessel that is oversized, does not fit on storage racks in a safe and efficient manner, appears to be unsafe or for any other reason that could be in violation of these rules and regulations.
15. Only non-motorized kayaks and canoes are allowed in the Canoe/Kayak Area and must be registered with the District.
16. Only vessels that have been approved by the District, in advance, shall utilize boat slips in accordance with the Marina Rules and Regulations, Marina Boat Slip Rental Policies, and have a valid Marina Slip Lease Agreement, if applicable.

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