



Rizzetta & Company

# **Water's Edge Community Development District**

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**Board of Supervisors' Meeting  
February 10, 2020**

**District Office:  
9428 Camden Field Parkway  
Riverview, Florida 33578  
813-533-2950**

**[www.WatersEdgeCDD.com](http://www.WatersEdgeCDD.com)**

**WATER'S EDGE  
COMMUNITY DEVELOPMENT DISTRICT**

Mill Creek Baptist Church, 12713 Upper Manatee Road Bradenton, FL 34212

<b>Board of Supervisors:</b>	Susan Wickens	Chair
	Michael Dowd	Vice Chair
	Mandy Sands	Assistant Secretary
	Michael Barbour	Assistant Secretary
	Walter Thos. Oliver	Assistant Secretary
<b>District Manager</b>	Greg Cox	Rizzetta & Company, Inc.
<b>District Counsel</b>	Michelle Reiss	Appleton Reiss
<b>District Engineer</b>	Phil Chang	Johnson Engineering

**All cellular phones must be placed on mute while in the meeting room.**

The Audience Comment portion of the agenda is where individuals may make comments on matters that concern the District. Individuals are limited to a total of three (3) minutes to make comments during this time.

Pursuant to provisions of the Americans with Disabilities Act, any person requiring special accommodations to participate in this meeting/hearing/workshop is asked to advise the District Office at least forty-eight (48) hours before the meeting/hearing/workshop by contacting the District Manager at (813) 533-2950. If you are hearing or speech impaired, please contact the Florida Relay Service by dialing 7-1-1, or 1-800-955-8771 (TTY), or 1-800-955-8770 (Voice), who can aid you in contacting the District Office.

A person who decides to appeal any decision made at the meeting/hearing/workshop with respect to any matter considered at the meeting/hearing/workshop is advised that person will need a record of the proceedings and that accordingly, the person may need to ensure that a verbatim record of the proceedings is made including the testimony and evidence upon which the appeal is to be based.

February 3, 2020

**Board of Supervisors**  
**Water's Edge Community**  
**Development District**

**AGENDA**

Dear Board Members:

The workshop meeting of the Board of Supervisors of the Water's Edge Community Development District will be held on **Monday, February 10, 2020 at 6:00 PM** at the Mill Creek Baptist Church 12713 Upper Manatee River Road Bradenton, Florida 34212. The following is the agenda for the meeting:

- 1. CALL TO ORDER / ROLL CALL**
- 2. AUDIENCE COMMENTS**
- 3. BUSINESS ITEMS**
  - A. Discussion of Community Policies ..... Tab 1**
- 4. SUPERVISOR REQUESTS**
- 5. ADJOURNMENT**

We look forward to seeing you at the meeting. In the meantime, if you have any questions please do not hesitate to call us at (813) 933-5571.

Sincerely,

*Greg Cox*

Greg Cox  
District Manager

Tab 1

**WATER'S EDGE  
COMMUNITY DEVELOPMENT DISTRICT**

**Water's Edge Community  
Development District  
Common Areas and Amenity  
Facilities  
Policies**

DRAFT - NOT APPROVED

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DRAFT - NOT APPROVED

## Definitions

**“Amenity Facilities”** – shall mean the properties and areas owned by the District and intended for recreational use and shall include, but not specifically be limited to, the community pool and fitness center, together with their appurtenant facilities and areas.

**“Amenity Facilities Policies” or “Policies”** – shall mean all Amenity Facilities Policies of Water’s Edge Community Development District, as amended from time to time.

**“Annual User Fee”** – shall mean the fee established by the District for any person that is not a member and wishes to become a Non-Resident Member. The amount of the Annual User Fee is set forth herein, and that amount is subject to change based on Board action.

**“Board of Supervisors” or “Board”** – shall mean the Water’s Edge Community Development District Board of Supervisors.

**“District”** – shall mean the Water’s Edge Community Development District

**“District Manager”** – shall mean the professional management company with which the District has contracted to provide management services to the District.

**“Family”** – shall mean a group of individuals living under one roof or head of household. This can consist of individuals who have not yet attained the age of eighteen (18), together with their parents or legal guardians. This does not include visiting relatives, or extended family not residing in the home.

**“Guest”** – shall mean any person or persons who are invited and accompanied for the day by a Patron to participate in the use of the Amenity Facilities.

**“Non-Resident”** – shall mean any person or persons or that do not own property within the District.

**“Non-Resident Member”** – shall mean any person or Family not owning property in the District who is paying the Annual User Fee or Daily Usage Fee to the District for use of all Amenity Facilities.

**“Patron” or “Patrons”** – shall mean Residents, Non-Resident Members, and Renters; who are sixteen (16) years of age and older.

**“Renter”** – shall mean any tenant residing in a Resident’s home pursuant to a valid rental or lease agreement.

**“Resident”** – shall mean any person or family owning property within the District.

**“Adult”** – shall be considered any person eighteen (18) years of age or older.

**“Minor”** – shall be considered any person seventeen (17) years of age or younger.

## **Swimming Pool and Other Recreational Facilities**

The following rules and regulations have been established for the benefit of all users of the swimming pool, fitness center, and other recreational-type amenities or facilities (collectively the "Facilities") owned, operated or maintained by the Water's Edge Community Development District (the "CDD") to assure the safe operation of the pool and other recreational facilities and to provide enjoyable recreation for all.

Patrons are requested to cooperate in observing these rules and to obey the instructions of the CDD, its Board, agents, appointees, management, employees and staff. Patrons violating these rules are subject to the revocation of their swimming and recreational facilities use privileges. The CDD reserves the right to refuse admittance into any CDD 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 patrons.

The CDD 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 CDD's District Management: Rizzetta & Company, Inc., located at 9428 Camden Field Parkway, Riverview, FL 33578, 813-933-5571.

### **General Rules / Admissions**

**(1) 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 CDD, 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 OR OTHER FACILITIES. THE CDD OWES NO DUTY OF SUPERVISION TO ANYONE USING THE POOL FACILITY AND OTHER FACILITIES AND THE CDD PROVIDES NO SUPERVISION OR LIFEGUARDS FOR THOSE ENTERING THE WATER OR USING ANY OF THE FACILITIES.**

(2) No one will be allowed in the swimming area or other Facility unless the pool or other recreational amenity Facility are officially open. Times of operation and use shall be posted outside the pool and Facilities. Entering upon the pool or other Facility when they are not open for use is punishable by fines and/or criminal prosecution. Permission to use the pool and Facilities will be granted upon the condition that all swimming pool and Facilities rules and regulations will be followed. Permission may be revoked at any time for anyone who fails to comply with CDD staff direction or pool and Facilities rules and regulations.

(3) All persons entering the pool or other recreational Facilities area must pay the appropriate admission fee as set forth below. For residents of the CDD, the admission fee shall be paid via the annual CDD operation and maintenance assessments. For nonresidents of the CDD, the admission fee shall be paid yearly, in advance, shall be non-refundable, non-transferable, and shall be the maximum CDD operation and maintenance



assessment paid by a resident then-in effect. Each Lot in the CDD, which is current in the payment of all CDD assessments, shall receive two (2) access cards 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. Each non-resident who pays in full the admission fee shall receive one (1) access card reader. All access card readers must be returned to the CDD upon demand or discontinuance of use of the facilities, and a charge of \$300 will be required for each access card not returned to the CDD or requested as a replacement for a lost or damaged access card.

(4) No one under the age of 14 shall be admitted in the pool facility or fitness center unless accompanied by a parent or 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. 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. Or

*Persons at an increased risk of drowning, including children under the age of 14, medically frail elderly persons, and inexperienced swimmers, should be accompanied and supervised by a responsible adult swimmer at all times. Persons with incontinence issues must wear plastic water-tight pants or other protective swim gear which must fit snugly around the legs and waist at all times while using the pool. If the protective swim gear becomes soiled, the person must leave the pool immediately, and may not return until he/she is clean and the protective swim gear has been replaced.*

(5) 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. Smoking or chewing tobacco is not permitted in any of the Facilities. Illegal substances are not permitted. Responsible alcohol consumption for patrons 21 years of age or older is permitted; excessive consumption of alcohol or public intoxication is not permitted and will be criminally prosecuted.

(6) All refuse and waste papers must be deposited in designated receptacles.

(7) All bags, baskets and coolers are subject to inspection. No grills, gas or electric cooking devices may be brought into the pool facility.

(8) Pets are not permitted in or on the Facilities. Service animals are permitted.

(9) The CDD and HOA are not responsible for personal property or valuables at any time.

(10) All patrons 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.

(11) 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 patrons 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 the Facilities. 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.

(12) The CDD 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. Persons under the influence of alcohol or drugs will not be permitted in the pool facility. All patrons must take a cleansing soap shower before entering the deck area. 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.

(13) Jumping into the pool from the side of the pool is not permitted. **ABSOLUTELY NO DIVING SHALL BE PERMITTED.**

(14) 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 Facilities.

(15) 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).

(16) Windows in the Facilities may not be open except in cases of an emergency.

(17) Furniture, such as tables, chairs, etc., shall not be moved or relocated.

(18) No items may be brought into the pool except for life vests or similar flotation devices fitting on or around the person.

### **Fitness Center Policies**

Children aged 11 and under are not permitted in the fitness room 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.

- (1) 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.
- (2) Shirts must be worn at all times. Bathing suits and jeans are not permitted in the fitness room.
- (3) Food is not permitted in the fitness room. Closed, plastic beverage containers are allowed.
- (4) Please be considerate of other patrons, wipe down equipment after each use, and return the weight plates and dumbbells to the racks provided.
- (5) Cardiovascular equipment use is limited to 30 minutes when people are waiting.
- (6) Using a spotter when lifting weights is recommended. The fitness room is not supervised and you are exercising at your own risk.

### Playground Policies

(1) For the safety of all children and adults, only children between the ages of two (2) years and twelve (12) years of age may use the playground equipment.

Or

*District Counsel recommended language*

(2) Tot playground equipment is designed for children between ages two (2) to five (5) years of age.

Or

*District Counsel recommended language*

(3) No roughhousing on the playground.

(4) Persons using the playground must clean up all food, beverages and miscellaneous trash brought to the playground. Glass containers are prohibited.

(5) The use of profanity or disruptive behavior is absolutely prohibited.

(6) Alcoholic beverages are not permitted.

(7) Inflatable equipment, such as bounce houses, is not permitted at the playground.

(8) All other general facility rules apply.

## Parking Policies

**Notice:** Failure to comply with the policies stated herein may possibly result in towing / removal of the violating personal property (watercraft, trailer, RV, and et cetera) or vehicle (car, truck, motorcycle) at owner's expense. Failure to comply with these parking policies may also result in suspension of common area access privileges per these Water's Edge Rules and Rates for Common Areas and Amenity Facilities.

**Park at Your Own Risk:** The District assumes no liability for any theft, vandalism and / or damage that might occur to personal property and / or vehicles parked on its property.

In the event theft, vandalism and / or damage occurs to either personal property or vehicles, affected owners are advised to contact the local law enforcement- Manatee County Sheriff's Department.

## Designated Parking Areas

Street Parking:

- No Overnight Parking Permitted (defined as in street between 1:00 a.m. - 6:00 a.m.)
- No Parking in any manner that blocks sidewalks or sidewalk access.
- No Parking in any manner that blocks access on the street for any vehicles to include emergency vehicles, waste collections, mail delivery, vendors.

Pool and Fitness Center Parking Lot:

- Vehicle Parking for Facilities Users, District Staff, Employees & Vendors / Consultants.
- No Overnight Parking Permitted (defined as between 1:00 a.m. – 6:00 a.m.)

## Parking Exceptions / Special Dispensation & Circumstances

(1) Parking Exception / Special Dispensation & Circumstances Grant Authority.

- a. District Manager - 3 Day Grant Authority Only
- b. District Board Chair / \*Vice Chair - 7 Day Grant Authority
- c. District Board of Supervisors - 7 Day Grant Authority

(2) Parking exceptions will be granted by way of written correspondence through the expressed authority of those individuals identified in Paragraph (1) above.

- a. No verbal grants of authority will be issued or be held valid
- b. It is the responsibility of the person(s) requesting a parking exception to secure all necessary documentation and approvals
- c. Failure to secure all necessary documentation and approvals may result in the towing and / or removal of the vehicle from the premises

(3) Issuance of Written Exception Notice.

- a. Notice placed on highly visible area of the approved vehicle.

- b. Digital photograph of approved vehicle and license plate.
- c. Location of vehicle.
- d. Reason and special terms of parking exception.
- e. Date and time of written exception notice issuance.
- f. Date & Time of Written Exception Notice Expiration
- g. Contact information of District Management Offices

(4) No parking exceptions will be granted for periods exceeding seven (7) days.

(5) Upon expiration of the Written Exception Notice, owner will have 24 hours to remove the vehicle in accordance with the policies stated herein. Failure to remove the vehicle within the stated timeframe may result in the commencement of towing and removal procedures covered in Section III of this document.

### Towing / Removal Procedures

(1) Signage & Language Compliance

- a. The appropriate towing signage & verbiage will be posted on District Property in conformance with applicable Florida Statutes.
- b. Signage to be placed in conspicuous locations for the areas identified in Section I (Designated Parking Areas) of this document.

(2) Towing / Removal Discretion Authority.

- a. Prior to any towing or removal action being taken by anyone other than the District Manager, the authorized individuals must first contact the District Manager for verification that no exceptions were granted for the subject personal property or vehicle.
  - i. District Manager
  - ii. District Board Chair / \*Vice Chair
  - iii. District Board of Supervisors (Collective Unit)

b. The District Manager is to be copied on any written correspondence permitting / granting parking exceptions.

(3) Issuance of Written Warning Notice.

- a. Notice to be placed on highly visible area of violating personal property and / or vehicle.
- b. Digital photograph of vehicle including license plate.
- c. Location of personal property and / or vehicle violation.
- d. Description of violation
- e. Date & Time of Written Warning Notice Issuance.
- f. Date of potential personal property and / or vehicle tow / removal, if not removed.
- g. Contact information of District Management Offices

(4) Owner will have 24 hours from issuance of Written Warning Notice (Date & Time) to remove the violating personal property and / or vehicle.

- a. The following information will be kept on file at the District Management Office:
  - i. Copy of Written Warning Notice Issuance

- ii. Log of Date the personal property and / or vehicle was towed / removed
- iii. Digital photograph of violating personal property and / or vehicle

(5) Tow / Removal Appeal and Cost Reimbursement.

- a. Any person(s) has the right to dispute and request cost reimbursement for a tow and / or removal action by appealing to the District's Board of Supervisors
  - i. An appeal must be submitted in writing to the District Management Office for placement on the next regularly scheduled District meeting agenda
  - ii. The District Management Office must be in receipt of such appeal no fewer than ten (10) prior to the next regularly scheduled District meeting
- b. Any person(s) appealing a tow and / or removal action will be governed by the following conditions:
  - i. Must be physically present at meeting in which the appeal will be heard by the Board of Supervisors. Failure of attendance will result in dismissal of appeal with no resubmission on future District agenda.
  - ii. Argument and basis for appeal will be limited to five (5) minutes per account
  - iii. Must furnish own copies of any documentation to present to the Board of Supervisors supplementing the argument and basis for the appeal (if applicable)
- c. The District's Board of Supervisors reserves the right to grant or deny any appeal and cost reimbursement at their sole and absolute discretion.
- d. District action(s) will be resolved by way of successful Board motion.

## **Golf Cart Policies**

**Designation of Certain Areas and Roadways.** Golf carts may only be operated on District roadways and any other areas specifically designated by the District for golf cart use. Driving or parking on nature walks, bridges, sidewalks, common areas, conservation areas, ditches, tree preserves, and grassy areas is prohibited.

**Signage and Right of Way.** The District shall post appropriate signage on any nonroadways designated for golf cart use, to warn pedestrians and motorists that the operation of golf carts is allowed on such non-roadway areas specifically authorized for golf cart use. Pedestrians will have the right of way and golf cart operators will yield to such individuals.

**Parking of Golf Cart Vehicles.** All golf cart vehicles must be parked in designated golf cart vehicle parking areas or motor vehicle parking areas. No golf cart vehicles shall be parked in a roadway or on any designated golf cart vehicle path.

**Storage of Golf Cart Vehicles.** All golf cart vehicles must be stored in an enclosed garage and otherwise in compliance with the rules and regulations of the District and the individual property owner's association, as may be applicable.

**Golf Cart Hours of Operation.** Golf carts with headlights, brake lights, turn signals and a windshield may be operated on the designated District roads and areas referenced herein at all hours of the day. Golf carts lacking the aforementioned equipment may be operated only during the hours between sunrise and sunset.

**Requirements for Golf Carts Using Designated Roadways.** All golf carts using roadways and areas which are designated herein for golf cart use, no matter what time of day must be equipped with efficient brakes, reliable steering apparatus, safe tires, a rearview mirror, and red reflectorized warning devices in both the front and rear. All golf carts must be in sound and safe working condition and must be maintained and repaired in accordance with manufacturer's requirements and recommendations. Golf carts shall be operated in accordance with all manufacturer's requirements concerning the golf cart operation. No golf cart may be used to carry more persons at one time than can be safely seated in designated seating areas, and seat belts are recommended when transporting children and required where required by Florida law.

**Requirements for Golf Cart Operators.** Operators of golf carts on District roads and designated areas must be at least age fourteen (14), have proper insurance, which provides coverage for operation of the golf cart on District roads and designated areas and must obey all applicable traffic laws and posted signs. Owners and/or operators of golf carts shall obey all traffic laws and meet the requirements of current state laws, including Chapter 316.212, *Florida Statutes*. These include laws governing the age of operators, required equipment and safety standards, use of directional or hand signals when making turns, and compliance with regulatory signs.



Insurance. Liability insurance must be maintained on all golf cart vehicles. Golf cart vehicle drivers using District streets will be required to carry proof of insurance and to provide same to the District upon request.

Speed Limits. All golf cart vehicles driven on the District roadways and paths shall comply with the posted speed limits. Notwithstanding the foregoing, golf cart vehicle speed shall not exceed 20 miles per hour at any time.

Indemnification of the District. The owner of a golf cart and/or any person using or riding in a golf cart in Water's Edge assumes the risk of property damage, personal injury or death. The District shall not be liable for golf carts operated in Water's Edge or any liability arising from or related to the use of a golf cart in Water's Edge, whether or not in compliance with this policy and/or applicable law. By operating or riding in a golf cart on any District street or road, each person operating or riding in such golf cart agrees to indemnify, defend, and hold harmless the District, including its residents, supervisors, directors, officers, agents, managers, management company, attorneys, representatives, employees, agents, successors and assigns, from any and all causes of action, costs, damages, liabilities, suits, claims, losses, and/or harm (collectively, "claims"), of any and every kind or nature, including but not limited equitable and legal claims and claims for personal injury or property damage, arising from or related to operating, using, or riding in a golf cart in the community.

Enforcement. Any violation of this Policy, as determined by the Board of Supervisors, may result in suspension or revocation of privileges to operate the golf cart in the community and/or suspension of use of District recreation facilities. Any threat to safety may result in immediate contact to law enforcement and/or legal action. Safety violations and any violation of Florida motor vehicle and traffic laws, as well as other applicable federal, state, and/or local law, shall be reported to and enforced by the Manatee County Sheriffs' Office or other applicable agency.

Conflict with County Jurisdiction and/or Authority. To the extent that any provision of this Resolution is preempted by or conflicts with the jurisdiction or authority of the State of Florida and/or Manatee County over the areas designated herein under any State or County law or regulation, the conflicting provision(s) of this Resolution shall have no effect.

## Consequences for General Facility Policy and Guidelines Violations

Privileges at the amenity facilities can be subject to suspension or termination by the Board of Supervisors if a Patron:

- Submits false information on the application for an access card.
- Permits unauthorized use of an access card.
- Exhibits unsatisfactory behavior or language.
- Fails to abide by the Rules and Policies established for the use of common areas and facilities.
- Treats the CDD Board members or staff in an unreasonable or abusive manner. Examples include, but not limited to the use of profanity, verbal and physical assault.
- Engages in conduct that is improper or likely to endanger the welfare, safety or reputation of the CDD Board members or staff.

### Policy Enforcement

Please be aware that staff must protect the rights and privileges of rule-abiding residents and members, and that inappropriate behavior will not be tolerated. All patrons are responsible for compliance with the rules and regulations established for the safe operations of all the facilities. For severe violations or anyone continuing to violate clubhouse rules, individual(s) may be refused access to the clubhouse and its amenities. The staff reserves the right to ask residents, members, or guests to leave the facilities and suspend their privileges and/or access cards. The staff retains the full right to contact the local law enforcement agency and have violators trespassed permanently from any District property.

Depending on the severity of the violation, the individual(s) may be asked to leave the facilities until a consequence is determined. If a minor is involved in a violation, a parent or guardian will be contacted and a written warning may be issued. Documentation of incidences will be kept on file.

Any appeals will need to be made in writing to the District's Board of Supervisors. Appeals will be reviewed at the next regularly scheduled District Board of Supervisors meeting from the date the appeal was received.

### Consequences

**Warnings:** The violation will be brought to the attention of the individual(s) involved. If the behavior continues, the violator will be asked to leave the property.

(2) **Suspensions:** All suspensions will be treated on a case by case basis. Consequences and decision outcomes will be determined by the CDD Board of Supervisors or their designated staff member. While suspended from District facilities, access cards for residents or members will be deactivated. Any suspension of privileges from District facilities, which resulted from Policy and Guideline violations, may be issued as follows:

- 7 days / 1 week

- 1 month
- 3 - 6 months
- Indefinite

### **Appeals Process**

The violator (or Legal Guardian if under the age of 18 (eighteen) may appeal the Suspension by putting an appeal in writing and delivering it to the District Manager.

The Board of Supervisors will conduct an appeal hearing at the next regularly scheduled meeting of the Board of Supervisors from the date the appeal was received.

### **Indemnification**

Each organization, group or individual approved to reserve the use of CDD facilities agrees to indemnify and hold harmless the Water's Edge Community Development District ("District") and the amenity management firm, and the respective officers, agents and employees of each, from any and all liability, claims, actions, suits or demands by and person, corporation or other entity, for injuries, death, property damage of any nature, arising out of or in connection with, the use of the district lands, premises and/or facilities, including litigation or any appellate proceeding with respect thereto. Nothing herein shall constitute or be construed as a waiver of the District's sovereign immunity granted pursuant to Section 768.28, Florida Statutes.

The District and its agent, employees and officers shall not be liable for, and the Resident or Non-Resident Club Member user shall releases all claims for injury or damage to or loss of personal property or to the person, sustained by the user or any person claiming through the user resulting from any fire, accident, occurrence, theft or condition in or upon the District's lands, premises and/or facilities.

**The above policies were amended by the Board of Supervisors for the Water's Edge Community Development District on XXXXXXXX XX, 2020, at a duly noticed public meeting.**

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District Manager / Assistant Secretary

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Chairman

**GENERAL RELEASE AND ACKNOWLEDGEMENT:**

The Undersigned person(s) hereby agree with and shall strictly comply with the policies outlined in the Rules and Regulations set forth above and in accordance with the general rules of the Facilities, the Rules and Regulations of the River's Reach community, including the CDD, the HOA, and any other laws, rules and ordinances governing same. The Undersigned person(s) agree to forever release, discharge, indemnify and hold harmless the CDD, the HOA, their staff, management, Board, employees, agents and assigns, from any and all liability, loss, injury, including death, claims, action, or damage resulting from or in any way arising out of the use of this pool facility, the Facilities or other equipment.

Signature: \_\_\_\_\_

Print Name: \_\_\_\_\_

Address: \_\_\_\_\_

\_\_\_\_\_

Telephone: \_\_\_\_\_

Contact Person In Case of Emergency (Name and Phone Number):

\_\_\_\_\_

\_\_\_\_\_

Date: \_\_\_\_\_

\_\_\_\_\_

**CDD OR HOA STAFF USE ONLY**

Admission Fee Paid (Amount): \_\_\_\_\_

Access Card Reader(s) (Number given): \_\_\_\_\_