

**CONNERTON WEST COMMUNITY DEVELOPMENT DISTRICT
AMENITY AND COMMUNITY PARK
POLICIES**

Adopted June 6, 2017

SECTION A. DEFINITIONS

1. Amenity or Amenities – Shall mean all passive parks, common areas, open spaces, playgrounds, nature trails, lakes and preserves, whether owned or operated by the District.
2. District - Shall mean the Connerton West Community Development District.
3. Manager - Shall mean the person or entity legally charged with the daily operation and management of the District or their duly authorized representative.
4. Resident - Shall mean property owners of the Connerton West Community Development District, and those persons permanently residing in the same dwelling unit as the property owner. Resident shall also mean those persons permanently residing in a dwelling unit located within the District, including those persons residing in apartments, condominiums or rental homes.
5. Guest – Shall mean any non-residents that are using the Amenities.
6. Pets– Shall be defined as domesticated dogs and cats that are of non-aggressive breeds.

SECTION B. GENERAL PROVISIONS

1. The Amenity hours of use shall be established based upon seasonal and other considerations and shall be published to the Residents and Guests in a manner determined by the Manager. Unless other wise specified, all Amenities will be open from dawn to dusk each day.
2. Alcoholic beverages shall not be served or sold, nor permitted to be consumed, except for approved catered events or as specifically authorized in these policies.
3. All persons using the District’s Amenities do so at their own risk. Natural environments such as the District’s parks, lakes and nature trails contain any number of dangerous conditions as well as provide a habitat for wild animals that may be a hazard to people. All Residents must use the Amenities in a safe and responsible manor.
4. Pets as defined in Section A are permitted on Amenity property, but must be leashed at all times, and pet owners are to pick up any waste the pets may produce when in the park(s) or along the path of travel to and from the park(s). Pets are not permitted in playground areas, gazebos, any structure or concrete area, or in any area marked with a “No Pets” sign. Pets may be unleashed in any

area designated by the District as a dog park and must adhere to any posted rules for the use of such area. No aggressive Pets shall be permitted on Amenity property.

5. Vehicles, including golf carts, scooters, bicycles and scooters must be parked in designated areas. Unless designated otherwise, 4-wheel passenger vehicles and golf carts must be parked in the parking lots. Vehicles shall not be parked on easements or rights of way, or in any manner which blocks the normal flow of traffic. Gas and electric powered vehicles, including scooters, ATV's, and golf carts are strictly prohibited in Community parks, Nature Trails and pedestrian sidewalks. All vehicles must be operated in accordance with applicable Florida Statutes. Authorized maintenance vehicles are permitted on District property as authorized by the Manager

6. No Fireworks of any kind are permitted anywhere on the District grounds or adjacent areas.

7. The Board of Supervisors reserves the right to amend or modify these rules when necessary and will notify the residents of any changes.

8. Members of the Board of Supervisors, the District Manager, and CDD Managers and authorized employees shall have full authority to enforce these policies and regulations.

9. Disregard of any rule or policy of the District may result in exclusion from the use of any District Amenity.

10. During periods of heavy rain, thunderstorms and other inclement weather Amenity areas shall not be used.

11. Any exceptions to these Policies must be made in writing by the Manager prior to the time any such contrary action is taken.

12. The use of remote controlled vehicles and aircraft shall not be permitted on any Amenity property.

13. The District's Board of Supervisors may waive any provision of these policies, including any fees, for any homeowners' association or neighborhood group located within the District, or a civic organization primarily comprised of Residents, as determined by the District's Board of Supervisors to be in the District's best interest. Such waiver may be restricted to a specified area and time, and may include such other restrictions as the District's Board of Supervisors may determine.

SECTION C. LOSS OR DESTRUCTION OF PROPERTY OR INSTANCES OF PERSONAL INJURY

1. Each Resident and Guest, as a condition of invitation to the premises of the Amenities assumes sole responsibility for his or her personal property. The District, its agents, employees, and contractors shall not be responsible for the loss of damage to any private property used or stored on District Property regardless of location.

2. No person shall remove from any Amenity area any property or furniture belonging to the District, the District Board of Supervisors, its agents, employees or contractors without proper authorization. Residents and Guests shall be liable for any property damage and/or personal injury occurring on any District property or any Amenity, or at any activity or function operated, organized, arranged or sponsored by the District or its contractors which is caused by the Resident or their Guest. The District reserves the right to pursue any and all legal and equitable measures necessary to remedy any losses due to any such property damage or personal injury.

3. Any Resident, Guest or other 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, the District Board of Supervisors, its agents, employees or contractors, or who engages in any contest game, function, exercise, competition or other activity operated, organized, arranged or sponsored by them, either on or off District property or Amenity, shall do so at his or her own risk, and shall hold the District, the District Board of Supervisors, its agents, employees, and contractors harmless for any and all loss, cost, claim, injury damage or liability sustained or incurred by him or her, resulting there from and/or from any act of omission of the District, the District Board of Supervisors, its agents, employees or contractors. Any Resident shall have, owe, and perform the same obligation to the District, the District Board of Supervisors, its agents, employees or contractors hereunder in respect to any loss, cost, claim, injury, damage or liability sustained or incurred by any Guest or Resident.

4. Should any party bound by these District Policies bring suit against the District, the District Board of Supervisors, its agents, employees or contractors in connection with any Amenity or event operated, organized, arranged or sponsored by the District or any other claim or matter in connection with any Amenity or event operated, organized, arranged or sponsored by the District, and fail to obtain judgment therein against District, the District Board of Supervisors, its agents, employees or contractors, said party shall be liable to the District for all costs and expenses incurred by it in the defense of such suit (including court costs and attorneys' fees through all appellate proceedings).

SECTION D. AMENITY RENTAL POLICIES

1. Only Residents may utilize the District Amenities for private parties. Upon request for rental, the Manager shall determine if the location of the proposed use is suitable for the purpose of the rental and shall have the authority to deny any such rental request if in the Manager's opinion the area is inappropriate or creates an unsafe condition.

2. All general regulations and policies apply.

3. Check with the Manager regarding the anticipated date for the party in order to determine availability. A reservation must be made and a rental agreement accepted by the manager prior to date of rental.

4. No trackless trains, trampolines, battery or gas powered vehicles of any kind are permitted in on District property at any time. The staking of tents and other acts which may cause damage to the Amenity facilities or grounds are also prohibited.

5. Inflatable structures, decorations, the provision of pony rides, and/or the use of third-party vendors of any kind must be approved in advance by the Manager. If the use of a third-party vendor is approved, the vendor must provide either a certificate of insurance or a liability waiver in a form acceptable to the Manager prior to the rental date.

6. At the time the reservation is made, the Resident must deliver to the Manager two separate checks or money orders (no cash). One is for the deposit and one is for the area rental. Checks or money orders should be made payable to Connerton West Community Development District.

7. An accurate count of the number of Guests must accompany deposits. The deposit of \$100.00 will be required at least 14 days in advance of the party.

8. The rental charge is \$50.00 for each 3-hour rental.

9. Deposit refunds may take up to 14 business days to process. To receive the full refund of the deposit, the following must be done:

- a. Remove all garbage and place in trash container.
- b. Take down all party displays.

10. The following may result in either full or partial forfeiture of the deposit:

- a. Failure to adhere to these Policies
- b. Damage caused to District property or Amenity
- c. Insufficient clean-up
- d. Cancellation of the event without at least 3 days notice to the Manager.

11. The deposit is fully refundable if the party is cancelled due to inclement weather.

12. A copy of the approved rental agreement, signed by the Manager, must be in the renter's position or posted at the rental event site.

SECTION E. PLAYGROUND POLICIES

Please note that the Playground is an unattended facility and persons using the facility do so at their own risk.

1. Reservations. Residents may not reserve the playground.
2. Hours: The Playground shall be available for use from dawn to dusk.
3. Children under the age of eight (8) must be accompanied by an adult at least eighteen (18) years of age.

4. Children Fifteen (15) years and older are not permitted to play on the Playground equipment.
5. Alcoholic beverages, glass containers and other breakable items are prohibited.
6. The use of profanity or disruptive behavior is prohibited.
7. No roughhousing on the playground.
8. Persons using the playground must clean up all food, beverages and miscellaneous trash brought to the playground.
9. Use of the playground may be limited from time to time due to a District-sponsored event or for maintenance purposes.

SECTION F. BARBECUE GRILL POLICIES

1. Use of the Barbecue Grill is limited to Residents and Guests.
2. Use of the Barbecue Grill is on a first come, first serve basis.
3. Residents shall be responsible for the supervision of the Barbecue Grill while in use and shall assume all liability for such use. Residents may bring their own Barbeque Grill to the area, however, they shall supervise the use of the Barbeque Grill at all times and shall be responsible for cleaning up the area and removing the Barbeque Grill after any activity.
4. No persons under the age of eighteen (18) may operate the Barbecue Grill at any time.
5. Glass and other breakable items are not permitted around the Barbecue Grill.
6. Alcoholic beverages are not permitted around the Barbecue Grill.
7. Residents must thoroughly clean the Barbecue Grill after each use. Residents must, at a minimum, remove all charcoal, food remnants and cooking implements.
8. Residents must provide their own cooking implements.

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SECTION G. USE OF DISTRICT LAKES AND PONDS

The Southwest Florida Water Management District and the District control all policies and procedures for the use and operation of District lakes and ponds. Swimming, bathing, wading and diving are not permitted in any District pond or lake.

General Rules:

1. All lakes and ponds are a component of the District’s master surface water management system (Surface Water System). There shall be no activities in or around the lake that would interfere with their proper operation.
2. The CDD Board of Supervisors has authorized limited use of lakes and ponds by Residents for the certain recreational activities described below that are not inconsistent with the safe and lawful operation of the Surface Water System.
3. The use of the lakes or ponds for recreational purposes is strictly at your own risk, Natural environments such as the lakes and ponds are habitats for a variety of wild animals such as snakes and alligators that can pose a danger to people. Lakes and ponds may also reach extreme depths and the lake bottom is subject to steep slopes and abrupt changes in depth. Ponds may also contain other natural or man-made hazards which may result in injury or death. Feeding alligators is strictly prohibited.
4. Pets are not allowed in the lake.
5. No docks or other structures, whether permanent or temporary, shall be constructed and placed in the lake or on the lake shoreline unless properly permitted and approved by the Southwest Florida Water Management District, the CDD, and other applicable governmental agencies.
6. No foreign materials may be disposed of in the lake, including, but not limited to: tree branches, paint, cement, oils, soap suds, building materials, chemicals, fertilizers or any other material that is not naturally occurring or which may be detrimental to the lake environment.
7. Any hazardous condition must immediately be reported to the Manager. The presence of any chemical or other similar hazardous condition must immediately be reported to the proper authorities or police.
8. Property owners and residents are responsible for the activities of their tenants, Guests and invitees.

SECTION H. SHORELINE VEGETATION MAINTENANCE

1. Pursuant to Section 369.20, Florida Statutes, an owner of property abutting the shoreline of the lake may physically or mechanically remove herbaceous aquatic plants and semi woody herbaceous plants, such as shrub species and willow, within an area delimited by up to 50 percent of the property owner's frontage or 50 feet, whichever is less, and by a sufficient length waterward from, and perpendicular to, the property owner’s shoreline to create a corridor to allow access for a boat.

2. All unvegetated areas shall be cumulatively considered when determining the width of the exempt corridor.

3. Physical or mechanical removal does not include the use of any chemicals or any activity that requires a permit pursuant to Part IV of Chapter 373, Florida Statutes.

4. Property owners wishing to remove vegetation in accordance with the above statutory criteria must first contact the Manger for authorization and verification of compliance with the above and the District's wetland maintenance plan and any governmental easements or other restrictions that may be in place over the subject area.

SECTION I. RECREATIONAL BOATING:

Certain designated lakes and ponds may be used for recreational boating in strict compliance with the requirements outlined below. Any lake or pond posted with a sign indicating no boating or fishing shall not be used for such purposes:

1. Approved boat types: Oar or paddle driven boats, such as: canoes, row boats, kayaks, sculls, etc. Single-hulled sail boats. Battery powered electric boats. Exceptions for may be made for District maintenance contractors, governmental or emergency officials.

2. Boats may not exceed 12 feet in length.

3. No watercraft may have a fixed draft of more than 12 inches.

4. The following boat types are prohibited for use on lakes: multi- or double-hulled sail boats, inflatable boats, rafts, inner tubes, personal floating devices, windsurfers, sail boards, motor surfers, and jet skis.

5. No gasoline or diesel fueled engines are permitted on lakes with the exception of the lake Work Boat.

6. All boats must have a life jacket for each person on board and all safety equipment in accordance with Federal, State, County and City requirements.

7. No boating hours have been established at this time. However, because sounds carry and magnify over water, boating must be done in a quiet, courteous manner and only between dawn and dusk.

8. All boats must be operated in a safe and courteous manner.

9. Sailing craft shall have the right of way over all other watercraft.

10. Docking at private property is not allowed without the express written consent of the owner.

11. Boats may only be moored or stored at an owner's dock or on the edge of the owner's property. No boating storage is permitted on District property.
12. Owners of off-water homes must remove their boat from the water when not in use.
13. No anchors of any type are allowed on the lake unless permitted by law.
14. All boats must be kept in good repair and be in operating condition.
15. Residents may launch small boats behind their own residences. Otherwise, boats may only be launched from designated common area locations within the community. No structures or modifications to any District pond banks are permitted. No boat launching is permitted if the launching will in any way damage or alter the pond bank or bank vegetation. No trailer launching is permitted. Vegetation in the ponds is considered District property and shall not be removed or damaged during the launching or boating process.

SECTION J. FISHING POLICIES

1. Fishing is restricted to Residents only.
2. Compliance with State fishing licensure requirements must be met.
3. Fishing is not permitted in certain lakes within the District. Any lake posted with a sign indicating that there is no fishing or boating shall not be used. Ponds or a portion of the lands surrounding such ponds, may be posted with no trespassing signs shall not be used for any purpose.
4. In order to maintain every resident's personal privacy, fishing from pond banks behind any platted residential lot is not permitted.
5. Access to lakes through private property between homes is prohibited and will be considered as trespassing. Exceptions will be made for maintenance purposes through designated maintenance easements.
6. Live bait is permitted for fishing along with other types of bait.
7. Catch and Release is the policy for all fishing in District owned ponds/lakes.
8. The following items are prohibited on or near the lake: spears, large nets, traps, bows and arrows.
9. To protect the fish and waterfowl, fishing lines must not be left unattended.
10. Violations of the above policies may result in the suspension or termination of your privilege to use the District owned ponds/lakes.
11. Property owners are responsible for the activities of their tenants, Guests and invitees.

The Connerton West Community Development District is not responsible for injury or damage to persons or property, including accidental death, resulting from the use of lakes or ponds. All persons, including property owners, residents and Guests and invitees are using lakes and ponds at their own risk. There are no lifeguards or other safety personnel present at any time. Lakes and ponds contain wild animals or other natural or man-made hazards which may result in injury or death. The District makes no representation that the use of any lake or pond is suitable for recreational boating or fishing. These policies and procedures are intended only to assist property owners and residents in the orderly and continued enjoyment of the natural surroundings.

SECTION K. SUSPENSION AND TERMINATION OF PRIVILEGES

1. Use of Amenities are subject to suspension or termination by the Board of Supervisors if a Resident or Guest:

- a. Exhibits offensive behavior or appearance;
- b. Fails to abide by the rules and regulations established for the use of the Amenities.
- c. Treats District personnel, employees or contractors of the District in an unreasonable or abusive manner; or
- d. Engages in conduct that is improper or likely to endanger the welfare, safety or reputation of the District or its management.

2. Manager may at any time restrict or suspend or for cause or causes as described above any Residents use of any or all of the Amenities.

3. Notwithstanding the foregoing, any time a Resident or Guest is arrested for an act committed, or allegedly committed, while on the premises of the District, such Resident or Guest shall have all Amenity privileges immediately suspended until the next Board of Supervisors meeting. At the Board meeting, the Board will be presented with the facts surrounding the arrest and the Board may make a recommendation of termination of the Resident's or Guest's privileges.

4. Any Resident or Guest whose privileges have been terminated is entitled to appeal such termination to the Board of Supervisors, whose determination on appeal shall be final.

The above Polices were amended and adopted by the Connerton West Community Development District Board of Supervisors this 6th day of June 2017.

Gregory B. Cox

Stew Gibbons

Secretary/Assistant Secretary

Chairperson/Vice Chairperson