

Heritage Springs Community Association, Inc.

Rules & Regulations

For Members

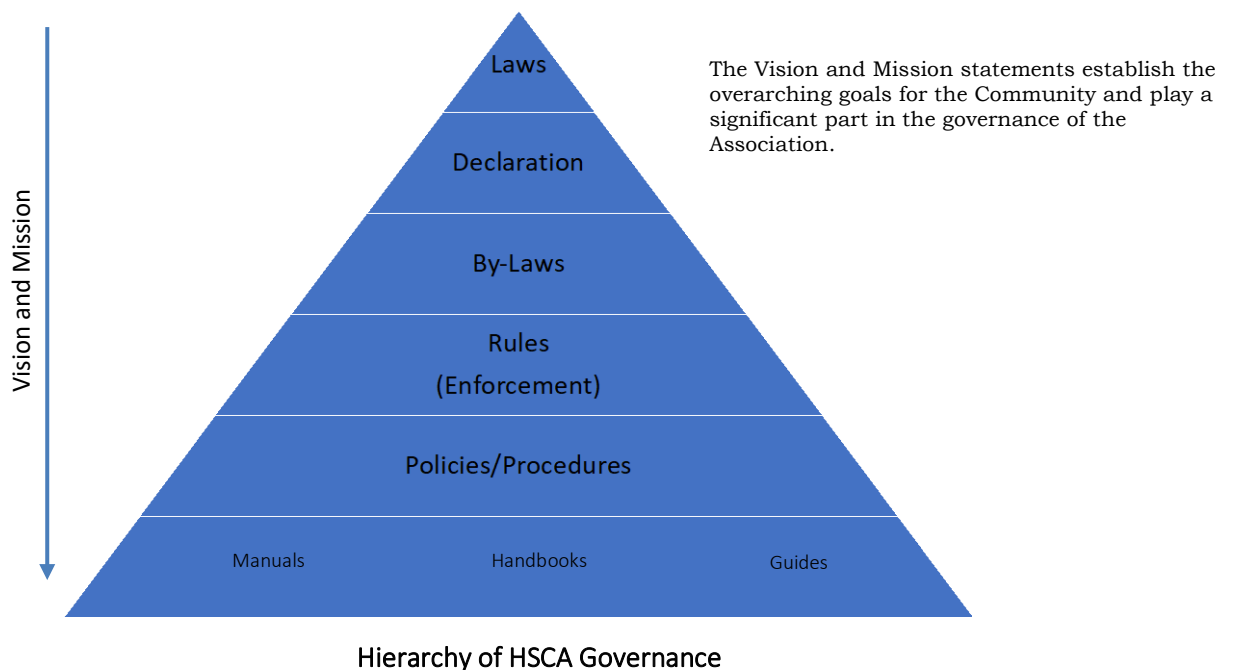
Last updated July 2024

Preface

Heritage Springs Community Association (HSCA) is a deed and age restricted community, governed by Florida Statutes and its Home Owners Association (HOA). When you acquire title to property in the Heritage Springs Community, you become a Member of the Heritage Springs Community Association (“Association”). The Association has governing documents which contain the rules, regulations, and policies that Members, Residents, Guests, and the Board of Directors (“BOD”) must observe.

The governing documents are a combination and hierarchy of state and county laws along with some community-specific values and instructions. The Association documents include:

- Federal, state, and local Laws
- Declaration of Covenants, Conditions, and Restrictions
- Association Articles of Incorporation
- Association Bylaws
- Association Rules & Regulations
- Association Policies



With several extensive documents providing a framework, some priority needs to be established. The higher the document is in the hierarchy, the more authority it has over the others. Using this premise, the Association uses a *pyramid of hierarchy* to guide the

development and updating of the Rules and Regulations and Polices.

By applying the pyramid, it is easy to see how the laws and Declaration complimented each other. The hierarchy of governance also revealed that even through the laws and Declaration have stated rules, more lengthy and specific Rules and Regulations created by the Association, are the only instructions that can be enforced and can impose Member and Resident fines and/or suspensions.

To clearly align rules to guide Member, Resident and Guest behavior and provide actionable enforcement, any instruction that impacts Members, Residents and Guests has been designated as Rules. To clearly guide the role and responsibilities of the BOD and Management all procedures are grouped into policies.

This booklet contains only the Association Rules and Regulations and provides information for Members, Residents, Guests, BOD and Management.



VISION STATEMENT

We aspire to be a community that offers a pleasurable lifestyle, a gratifying quality of life, and a desirable place to live and enjoy the benefits of family, friends, and community.

VALUES

We hold these values to fulfill our vision and achieve our mission. We value:

- Honesty – sincere and truthful in our communications.
- Fairness - applying the standards and rules to all in the same manner.
- Respect – giving respect to ourselves, to our neighbors, volunteers, staff, and environment in all our actions.
- Recognition – of those who serve and contribute.
- Volunteering - participation in our internal and external efforts by donating time and talents to worthy causes and endeavors.
- Charity – giving of time, goods, and/or money to our neighbors and those in need.
- Stewardship – Taking good care of our community’s physical and monetary assets.

MISSION STATEMENT

Our mission of the Heritage Springs Community Association is to preserve and enhance the lifestyle of our community by maintaining the common areas, and upholding our Covenants, By-Laws, Deed Restrictions, and Policies. The Association will serve the Members in accordance with our values.

The Associations will continue and improve an active friendly, and enjoyable place to live for each Member. We will provide ethical and fiscally responsible solutions to promote a sense of community, enhance our property values, and plan for the future.



Guiding Principles for Association's Volunteers and Employees

- Conduct business with transparency by providing regular financial statements, meeting agendas, and minutes to the homeowners.
- Create a community governance structure that is effective, simple, and fair. Aimed at eliminating favoritism, unnecessary committees and term limits for board members and committee memberships.
- Make and implement responsible decisions regarding the use of funds and assets belonging to the Association.
- Ensure changes to lots, homes, and property in the community will preserve and/or enhance the value of our properties.
- Take a fair, ethical, and objective approach in representing the interest of members and residents.
- Communicate in a timely manner through appropriate mediums.
- Protect and enhance the value of our neighborhood by maintaining all common areas.
- Treat every issue which comes before the Board with respect.
- Work with members and residents in a professional, objective, ethical manner and resolve or respond to requests in a timely manner.
- Enable opportunities for community activities and committees promoting a neighborly community that works together for the good of all.

For Our Members and Residents

- Be Good Neighbors. Work with each other for the benefit of the community.
- Do Volunteer. Participation in the Association that extends beyond the normal commitment(s) of being a member/resident.
- Maintain Your Property. Applies to where you live and common areas.
- Maintain a Safe Community. Obey the state and federal laws, our rules, regulations, and policies.

- **Respect Community Contributors.** Treat volunteers (Board and committee members, Village Representatives) and staff with appreciation and respect for the work they do.

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Introduction of Rules and Regulations

The Heritage Springs Community Association, Inc. (Association) is a Florida Home Owners Association (HOA). The Association is empowered by Florida State Statute 720, and further authorized in the Association's Master Declaration of Covenants, Conditions and Restrictions, to create, maintain and enforce member rules.

In its most basic definition, a Rule is a statement that says what a person is allowed and NOT allowed to do.

The Association Rules are referred to as *Member Facing*, meaning they specifically apply to all Members, Residents, and Guests. It should also be noted that by extension, these Rules also apply to service providers (vendors and contractors).

The Associations Rules cover a wide range of subjects. Architecture and Golf Rules, both have a supporting manual or handbook that define in detail their applicable Rules, policies and procedures.

The Architecture Rule has a documented set of standards and a process that must be adhered to by Members. When considering changes to one's property the Association's Architectural Manual should first be reviewed to determine current standards.

The Golf Handbook also has a documented set of procedures that govern the use of the golf amenity. Prior to using the amenity Members and Residents need to be familiar with the contents of the handbook.

Each Member, Resident, and Guest should be familiar with all Rules and Regulations (Rule) and must abide by them. The violation of a Rule can result in a warning, suspension of privileges, a fine or even legal action as explained further in this Rule and Regulation document.

All materials in and a part of the Rules and Regulations portion of this document are considered Rules and are enforceable by the Board of Directors.

If a Member or Resident has a question regarding the Association's Rules, they should contact the Concierge Desk and ask to speak with the General Manager or his/her designee.

I. Definitions

Architectural Review Committee

The Architectural Review Committee (ARC) is a standing committee of the Board of Directors (Board) of the Heritage Springs Community Association.

Articles

The Articles of Incorporation of the Association filed with the Florida Secretary of State, as amended.

Associates

The employees and agents of the Association.

Association

The HERITAGE SPRINGS COMMUNITY ASSOCIATION, INC. (HSCA), a Florida not-for-profit corporation, its successors and assigns.

Association Property

All real or personal property owned by the Association.

Common Area

All real property (including any improvements) owned or controlled by the Association for the common use and enjoyment of Members and Residents.

Concierge Desk

Service Desk located in the Clubhouse main lobby.

D&R Committee

The Disputes & Resolutions Committee (D&R) is a standing committee of the Board of Directors (Board) of the Heritage Springs Community Association.

Declaration or Master Declaration

The Master Declaration of Covenants, Conditions and Restrictions for Heritage Springs.

Employees

Person(s) hired to work under the control and supervision of HSCA.

General Manager

The person employed to oversee and be responsible for the day-to-day operations of

Association Property, management of Employees, and all other duties the Board may delegate.

Guests

Guests include any person temporarily occupying a residence in Heritage Springs (an ‘Overnight Guest’) as well as any person not staying overnight in a residence in Heritage Springs but who is authorized by a Member/Resident to utilize the Association facilities. An Overnight Guest’s stay will not exceed eight (8) weeks in a twelve-month period. Guests shall pay applicable guest fees (e.g. Pool or Tennis).

Lessor

The person or party that issues the lease (allows the property to be rented). Those persons or entities entitled to membership in the Association as provided in the Declaration.

Lessee

The person that the lease is granted to (the person paying rent to use the property). This can also be known as the Tenant.

Members

Those persons or entities entitled to membership in the Association as provided in the Declaration.

Monument and Monument Area

The entrance of each village has a structure(s) that includes the name of the village, “Monument”, and a landscaped area around the Monument(s), “Monument Area”.

Owner

The owner of record, whether one or more persons or entities, of fee simple title to any Lot or Parcel which is a part of the Properties, including contract sellers, but excluding those having such interest merely as security for the performance of an obligation such as a lien.

Pavilion

The Pavilion is the designated open-sided building next to the tennis courts not including the Bocce or Shuffleboard Courts.

Penalty

A penalty may include fines, suspension of use rights, suspension of bar codes or other legal remedies.

Penalty Notification Letter

Written notice of the violation of a Rule issued to a Member or Resident by the General Manager or attorney.

Policy

A defined course of action or procedures adopted and used by the BOD to facilitate standard operating procedures, governance, of the Association management and employees.

Residents

Persons who reside in Heritage Springs and are registered with the Association as non-Owner occupants for a period of greater than 8 weeks per year. Resident do not have the same privileges as Members

Rules and Regulations (Rule, Rules, and R&R's)

Rules and Regulations adopted by the Board and published by the Association governing the use and enjoyment of the Common Areas and the conduct of Members, Residents, Guests, agents and contractors within Heritage Springs.

Social or Civic Club

Only Heritage Springs Members and Residents. Membership must be compliant with the stated purpose of the Social or Civic Club. Social and civic clubs may not be engaged in commercial activities.

Social/Civic Club Meeting Year

The Social/Civic Club Meeting year is a period of time not to exceed 12 months, which depicts the meeting schedule. The schedule can start in one calendar year and end in the next, such as October 22 – May 23.

Social Media

The term social media refers to a computer-based technology that facilitates the sharing of ideas, thoughts, and information through virtual networks and communities. Social media is internet-based and gives users quick electronic communication of content, such as personal information, documents, videos, and photos

Social Media Manager

Executes and manages social media content, including videos for Social Media sites

Tenants

Another word for lessee

Security Officers

Employees or contractors of the Association who staff the gate house and provide access control to the community, as well as roving patrols of the community.

Village

The villages are designated Association neighborhoods and the term includes villages and estates.

SECTION II GENERAL RULES

A. The Board of Directors (Board) has adopted the Rules & Regulations (R&R's) as a supplement to the Declaration and the Bylaws. Pursuant to its specific authority contained within the Declaration, the Board may modify these R&R's from time to time. Florida State Statute 720.305 addresses obligations of Members, remedies at law or in equity, and, the levy of fines and suspension of use rights. If a conflict should arise between the Associations Rules and Regulations (R&R's), the Associations Declaration or Bylaws or the Florida State Statutes, the State Statutes or Declarations and Bylaws shall prevail.

B. It is the intent of the Association to limit these R&R's to the minimum required for the mutual enjoyment of all its Members, Residents, and Guests. The obligation of enforcing these R&R's is placed primarily in the hands of the General Manager and selected Heritage Springs Employees. Further, it is the duty of the Members, Residents, and Guests to know and understand the R&R's and to cooperate with the staff in their enforcement.

C. Violations of the Declaration or the R&R's may result in fines or penalties pursuant to **Section XVIII**. The Association reserves the right to take action with respect to egregious and/or multiple violations of those Rules that have no specific penalties. This will be done on a case-by-case basis with penalties to be decided by the BOD.

D. Common Areas

Heritage Springs Community Association, Inc. (Association) is the Owner of certain Common Areas and Association Facilities described in Article I, Section 6 of the Master Declaration of Covenants, Conditions and Restrictions (Master Declaration or Declaration). Included in Association Facilities are the Performing Arts Center, Clubhouse Rooms, Dining Room & Kitchen, Golf Course, Tennis Facilities, Bocce Courts, Horseshoe Pit, Pool & Spa Facilities, Fitness Center and such other areas designated by the Declaration. This includes any new amenities added by the Association. Association Facilities are for the use of Members, Residents and Guests.

All facilities are used at the risk and responsibility of the user, and the user shall hold the Association harmless from damage or claims that result from such use. Employees may take reservations and set up schedules for the use of specific portions of Association Facilities with specific times or give priority to tournaments, league play, Resident and non-Resident groups and functions. Proof of adequate insurance coverage and

execution of an agreement indemnifying the Association may be required.

No Association Property shall be used in any manner inconsistent with the ownership rights or the purpose intended by the Association.

E. Residence Commercial Use

Business use of a residence which shows signs of commercial activity is prohibited. Business use shall mean any use which shows commercial activity taking place in a unit, including but not limited to signage; or regular pick-up or delivery of supplies, materials, partially or completed goods; or any physical or tangible use which evidences a substantial level of commercial activity that, in the sole discretion of the Board, is inconsistent with the requirement that the property be used for single family residential purposes.

Businesses not requiring regular visitation of customers, clients, vendors or suppliers shall be allowed provided that they meet the requirements of paragraph E and do not have any exterior display of business use or activity or adverse impact on surrounding residences or occupants. Such businesses include, but are not limited to, home offices for professionals such as accountants, real estate agents, attorneys or other persons who deal primarily in services and whose clients do not visit or make use of the premises, since the business activity is conducted primarily through telephonic and electronic media.

There shall be no solicitation on Association Property by Members, Residents or Guests unless specifically authorized by the Board.

F. Association Property

a. Association Property shall not be removed from any Association Facility without Approval of the Board.

b. The Association will not be responsible for the loss of or damage to property belonging to Members, Residents or Guests, including but not limited to the following items: clothing, golf equipment, golf carts, automobiles, or homes. Lost and found items shall be turned in to the Concierge Desk and kept for ninety (90) days

No Member, Resident or Guest shall:

(1) Remove any plants, turf or topsoil from any Common Areas without the

consent of the General Manager.

(2) Hunt, trap, fish, feed or disturb any wildlife occupying Association Property, except in designated areas, without the consent of the General Manager. (Additional details on wildlife can be found in the Wildlife Control Rule)

(3) Threaten to harm another on Association property including with a weapon of any kind such as firearms, air guns, bows and arrows, slingshots, or other projectile firing devices. Discharge of such weapons within Heritage Springs may only occur as provided for within the law.

c. Anyone responsible for damaging any Association Property shall promptly reimburse the Association for all costs associated with the repair or replacement of such property. Members and Residents are responsible for any damages caused to Association Property by their Guests.

d. In accordance with the Florida Clean Air Act, smoking, vaping, E-Cigs are prohibited in any building on Association Property. *Designated Smoking areas are defined in the Board approved Clubhouse, Pavilion and Woodworking Shop Rule.*

e. The General Manager has the right to close from time to time any Association facility (such as the golf course, tennis courts, clubhouse and pool, but not limited to these facilities) for repairs, emergencies or scheduled events. Association facilities closed by the General Manager shall not be used until reopened by the General Manager.

Original Date:	N/A
Revision Date:	April 2023
Board Approval:	04/26/2023
Reviewer:	2022 Ad-hoc Policy Committee

SECTION III ARCHITECTURAL RULE

Background/History

The Association's Declaration of Covenants, Conditions, and Restrictions Article X, provides the Association with the authority to set Architectural control standards to Member properties. The Association's Board of Directors has therefore established an Architectural Review Committee to review and propose changes on a regular and scheduled basis to those standards as codified in the Board approved Architectural Manual

Purpose

The purpose of this Rule is to guarantee the standards and procedures for Member property are adhered to as defined in the approved Architectural Manual

Definitions

Architectural Review Committee

The Architectural Control Committee (ACC) is a standing committee of the Board of Directors (Board) of the Heritage Springs Community Association

Members

Those persons or entities entitled to membership in the Association as provided in the Declaration.

Owner

The owner of record, whether one or more persons or entities, of fee simple title to any Lot or Parcel which is a part of the Properties, including contract sellers, but excluding those having such interest merely as security for the performance of an obligation such as a lien.

Reference/Source

- Master Declaration Article X
- Previous Rule XIV

Rule

Owners must abide by the guidelines in the current Board-approved Architectural Manual.

- No Owner shall make any change to the exterior of their home or to their property without written approval from the Association's Architectural Control Committee.
- Only the Owner may make the request for these changes.
- The Architectural Manual defines the changes Owners can make to their property.

The Architectural Manual is approved by the Heritage Springs Board of Directors and as such, is incorporated into the Architectural Rule. The Architectural Manual is updated on a

regular and scheduled basis by the Architectural Control Committee.

Failure to meet existing standards, or changes to property without Architectural Control Committee approval, may result in warnings, loss of privileges, fines and/or possible legal actions.

Procedures

- The Architectural Manual outlines the required process for requesting changes, the review and approval process and their timelines.
- Forms can be submitted both electronically and manually to the Architectural Control Committee.
- The manual can be requested from Concierge Desk or found on the Association website.

Original Date:	January 28, 2019
Revision Date:	September 9, 2022
Board Approval:	October 6, 2022
Reviewer:	2022 Ad-hoc Policy Committee

SECTION IV CLUBHOUSE, PAVILION AND WOODWORKING SHOP RULE

Background/History

Heritage Springs promotes an active and healthy lifestyle for Members, Residents and Guests by providing multifunctional and well-maintained Clubhouse, Pavilion and Woodworking Areas. The Clubhouse and Pavilion include areas for social clubs and meetings, performances, food and beverage and general meeting space.

The Woodworking Shop is well-equipped and contains hand tools as well as both stationary and portable power tools

Purpose

The Rule governs the use of the Clubhouse, Pavilion and Woodworking Shop.

Scope

This Rule covers the use by all Members and Residents, as well as their Guests.

Definitions

Guests

Guests include any person temporarily occupying a residence in Heritage Springs (an 'Overnight Guest') as well as any person not staying overnight in a residence in Heritage Springs but who is authorized by a Member/Resident to utilize the Association facilities. An Overnight Guest's stay will not exceed eight (8) weeks in a twelve-month period.

Members

Members include persons or entities entitled to membership in the Association as provided in the Declaration.

Pavilion

The Pavilion is the designated open-sided building next to the tennis courts not including the Bocce or Shuffleboard Courts.

Residents

Residents include persons who reside in Heritage Springs and are registered with the Association as occupants for a period of greater than 8 weeks per year.

Social/Civic Clubs

A social or civic club is defined as a group of Heritage Springs Members and Residents with

similar interest or subject who congregate and interact with one another.

Social/Civic Club Meeting Year

The Social/Civic Club Meeting year is a period of time not to exceed 12 months, which depicts the meeting schedule. The schedule can start in one calendar year and end in the next, such as October 22 – May 23.

Woodworking Shop

The Woodworking Shop is located in the Cart Barn building next to the Golf Pro Shop.

Reference/Source

The rules replace Policies previously labeled as:

- Lobby Advertising Poster Boards (Amended January 28, 2013)
- Park Area Reservation & Sports Court/Play Area & Bar-B-Q Usage (Amended January 26, 2015)
- Room Temperature Settings Clubhouse Facility (Amended May 23, 2013)
- Social/Civic Clubs (Approved June 25, 2012)
- Room Reservation Policy V2 – (Amended July 2019)

Clubhouse and Pavilion Rules

- Members, Residents and Guests who wish to use the Clubhouse and Pavilion areas will need to make reservations according to the schedules established for each of the areas. For some parts of the Clubhouse reservations and room use will need to be coordinated with the Club House Manager or his/her designee. Depending on the type of space and equipment use, and staff involvement appropriate fees will be charged.
- Reservations for recurring use of these amenities is governed by an administrative policy which can be reviewed at the Concierge Desk.
- Any equipment or property that belongs in or to the Clubhouse will not be removed without the approval of the General Manager.
- While using the Clubhouse and Pavilion, all Members, Residents and Guests will conduct themselves in a proper manner, with due consideration for each other and for Employees. Members, Residents and Guests are expected to follow the Personal Conduct Rule.
- Smoking and/or vaping at the Clubhouse is only allowed in the designated outdoor smoking areas. Smoking and/or vaping at any other location in or around the

Clubhouse including the pool/spa and upper deck is prohibited. This Rule will also apply to all agents or contractors operating within Heritage Springs Facilities.

- Any member of the Management Team has the right to request Members, Residents and Guests to leave the Clubhouse, Pavilion or BBQ areas.
- The Pavilion is available to all Members, Residents and Guests on a first come first serve basis, except as stated below. Members, Residents and Guests are encouraged to share the use of the pavilion and BBQ grills. Check with the Concierge Desk to determine if the Pavilion is reserved.
- All Members, Residents and Guests must clean up the Pavilion area, BBQ grills and ensure all refuse is placed in the refuse receptable prior to vacating area. We strongly encourage waste food items be removed from the site and returned to your residence if usage is after staff housekeeping hours. This is critical to limit issues with wildlife accessing the refuse receptacle after hours.

Clubhouse and Pavilion Reservation Procedures

- Can be used by a single or multiple groups depending on the group size. Any use by multiple groups on the same day must be approved through the General Manager or his/her designee.
- Waste food items must be removed from the site and returned to your residence if usage is after staff housekeeping hours. This is critical to limit issues with wildlife accessing the refuse receptacles after hours.
- Pavilion reservations do not include reserved use of the bocce courts, shuffleboard courts, horseshoe pits, croquet fields or tennis courts.
- It is the responsibility of the Member or Resident reserving the Pavilion to set-up and clean-up. Depending on the type of event and equipment that may be requested by a Member or Resident, a set-up fee can be charged.
- The Pavilion is equipped with extra tables and chairs for Member and Resident use. The Members and Residents are responsible for set-up and return to storage.
- If the Pavilion must be cleaned by Association staff a fee will be charged to the Member using the Pavilion.

Meeting Rooms/Social Rooms Procedures

Meeting Rooms are available for Members, Social/Civic Clubs, or Residents. A social

or civic club is defined as an association of Heritage Springs Members/Residents with similar interests. Social or Civic Clubs may reserve or have access to certain rooms subject to the Clubhouse Room and Reservation guidelines outlined in this Rule.

Membership in the Social or Civic Club must be open only to Heritage Springs Members/Residents and, membership shall be compliant with the stated purpose of the Social or Civic Club. Social or Civic Clubs may not be engaged in commercial activities. A commercial activity is defined as one undertaken as part of a commercial or business enterprise.

Reservations

A group of fifteen (15) or more members acting as a Social or Civic Club may reserve the Card Room, Arts and Crafts Room, Billiard Room, Magnolia Room, Board Room, or Performing Arts Center (PAC) without charge once per month. Such reservations must be made with the Event and Life Style Director in advance and are subject to room availability.

Reservation Procedures:

A group of fifteen (15) or more members acting as a social or civic club may reserve the Card Room, Arts and Crafts Room, Billiard Room or Magnolia Room without charge. A group of less than fifteen (15) members acting as a social or civic club may utilize the Card Room, Arts and Crafts Room, Billiard Room or Magnolia Room upon checking at the Concierge Desk as to room availability.

The PAC may be reserved no more than 30 days in advance once per month by a Social or Civic Club. Such reservations must be made with the Event and Lifestyle Director and are subject to room availability for meetings requiring a set-up of tables and chairs for 25 or more attendees, a prepaid set up fee of \$250.00 is required. The \$250.00 fee is refundable if Heritage Springs Management is notified of cancellation 24 hours prior to the meeting.

Recurring event reservations, such as weekly card games, must be made with the Event and Lifestyle Director in advance, may extend for the calendar year, will automatically renew at the end of the calendar year and are subject to room availability at the time of reservation. A reservation for a weekly or more frequent recurring event may be revoked when none attend two consecutive sessions. A reservation for an event recurring less often than weekly, such as monthly, may be revoked when a single event goes unattended.

Non-recurring event reservations must be made with the Event and Lifestyle Director no more than ninety (90) days in advance and are subject to room

availability.

Initial room assignments are made, reassigned and cancelled based upon the following order of priority:

1. Government Elections through the Elections Office
2. Heritage Springs Board of Directors Regular Monthly Meetings and Annual Meetings
3. Village Board of Director and Annual Meetings
4. Scheduled Meetings for Heritage Springs Committees, Clubs, Member Groups, Classes, Card Games and other Member events or services.
5. The Card Room and the Billiard Room will be used exclusively for Heritage Springs Committees, Clubs, Member Groups, Classes, Card Games and other Member events or services during the hours of 8:00 a.m. through 4:00 p.m. on weekdays (Monday through Friday).
6. Member and non-Member paid events

All assignments are subject to being reassigned or cancelled when conditions warrant such action, subject to the approval of the General Manager. Should such action need to be taken the following occurs:

- Every effort will be made to accommodate the affected event in another Heritage Springs Clubhouse location.
- If the person is known, the event coordinator will be notified. If there is an event email distribution list, an email notification will be sent to those on the list.
- The Concierge Desk will be notified of the change including knowledge of what event has been displaced, where it has been reassigned and what event has caused the displacement. This information will be readily available to Concierge Desk personnel such that questions can be readily answered and directions easily given.
- The housekeeping staff will be notified such that any necessary room set up can be completed prior to the start for both the event displaced as well as for the new event.

Food and Beverage

General

1. No animals, other than service animals as defined by Florida law, shall be allowed in the Clubhouse or on the food and beverage patio (upper pool deck).
2. Only food that is purchased from the club is allowed in the Clubhouse. No food or beverages may be brought from home or outside restaurants without the permission of the General Manager or his/her designee.

Alcoholic Beverages

1. Liquor law violations are not permitted at Heritage Springs. It is a violation of the Heritage Spring's liquor license for any person to bring alcoholic beverages into the Association's licensed areas. The licensed areas include the Clubhouse, including all interior rooms/areas upper pool, dining decks and the pool area. Violations of the liquor license laws could result in Heritage Springs losing its liquor license.
2. Removal of alcoholic beverages, other than corked wine from the Clubhouse is not permitted.
3. Employees may refuse to serve alcoholic beverages to anyone who appears to be intoxicated
4. Persons under the age of 21 shall not purchase or consume alcoholic beverages at the clubhouse or at any of the Association facilities. Employees may require "proof of age"
5. The Pavilion is designated as an area where members may bring their own alcoholic beverages (BYOB).

Dress Code

Heritage Springs Community Association is a Country Club atmosphere. The dress code for each specific use is applicable to each use. The dress code is Country Club Casual, except for specific areas or events specified below.

1. Country Club Casual is defined as proper clothing, e.g., shirts, pants, skirts or shorts and appropriate footwear, is required to be worn in the clubhouse.
2. Examples of unacceptable clubhouse attire include:
 - a. Cut off denim shorts, denim jeans that are frayed, cut or modified in any way
 - b. Ripped, frayed or tattered clothes of any kind
 - c. T-shirts with offensive or vulgar pictures and/or markings
 - d. Undershirts of any kind
 - e. Sweatpants unless participating in an exercise class
 - f. Swimwear, without cover up
 - g. Jogging/exercise shorts unless participating in an exercise class
 - h. Bare feet
3. Fountain View Dress Code:
 - a. Men's Dress: Slacks, denim jeans, which are not frayed, ripped or faded, golf shorts, dress shorts, and collared shirts, turtleneck and mock neck shirts are standard required dress. Sweaters and pullovers may be worn over standard underneath attire. Hats, caps, and visors are not allowed to be worn.
 - b. Ladies Dress: Slacks, denim jeans that are not frayed, ripped or faded, golf shorts, capris, skirts, golf shirts, sleeveless blouses, turtle neck and mock neck

shirts are standard required dress. Other than ladies dress head ware, hats, caps and visors are not allowed to be worn in the dining room after 5:00 pm

4. Lounge Dress Code:

- a. Country Club casual – proper clothing e.g., shirts, pants, skirts, shorts, pool wear with cover-up, and appropriate footwear.
- b. Pool patrons must enter the Lounge from the west entry and must wear pool acceptable foot ware, shirt or suit cover-up.
- c. Prohibited Attire includes short shorts, cut-offs, faded or ripped denim jeans ripped/frayed or tattered clothes of any kind, sweats, and wet bathing wear

5. Happy Hour and Designated Events (PAC & Magnolia Room) Dress Code: Fountain Vue Dining Room Dress Code Applies, unless otherwise specified for special events or social functions.

Dance Party (and Happy Hour)

Dance Party is for the Members and Residents and their Guests. Guests must be at least 16 years of age and accompanied by a Member or Resident while attending Dance Party.

1. Each Heritage Springs Household may have guests and pay the current fee at the desk.

Clubhouse Lobby Advertising Poster Boards

Clubs, Social Groups and Committees, which have an event scheduled, may place a single advertising poster board, not to exceed 24” X 36” in size, in the lobby on an easel no more than 30 days prior to the event. It may announce the event only if it contains the following information:

1. Event Sponsor
2. Event Date
3. Time & Location
4. Brief event description and any guest speaker

News or views of a religious or political nature are not allowed. The General Manager or his/her designee will have the authority to determine what is or is not acceptable.

Private and nonmember events arranged through the Food and Beverage Department may place an advertising poster board or any advertisement in the lobby if the event is of a philanthropic nature, subject to the above requirements only after receiving approval from the General Manager and his/her designee.

No copyrighted material may be duplicated without the written permission of the copyright holder.

BBQ Usage Procedures

- The charcoal and propane BBQ grills are available to all Members, Residents and Guests on a first come first serve basis. Members, Residents and Guests are encouraged to share the use of the BBQ grills. The BBQ grills are not available when the Pavilion has a reserved event. Check with the picnic area bulletin board to determine if the Pavilion is reserved.
- Cleaning equipment will be provided, such as grate brushes, ash shovels and ash buckets. All grills should be kept clean, and the ashes should be shoveled into the ash bucket before leaving the area. Staff will check and empty ash buckets daily. The ash buckets are to be stored outdoors with each grill. Charcoal, lighter fluids and propane are not provided and cannot be stored on site.

Woodworking Shop Rule

Use of the Woodworking Shop is for Members and Residents only.

No one is allowed to use the Woodworking Shop until:

- They have completed and signed the Woodworking Shop Waiver – a copy is available at the Concierge Desk.
- They have received the required orientation for the Woodworking Shop by the Association's Director of Facilities or his/her designee.
- The Woodworking Shop is unmanned so usage is at the users' own personal risk. It is suggested that the user lock the entry doors when they are using power tools to prevent being startled by another person.
- All users are expected to abide by the Association Personal Conduct Rule. When a Member's or Resident's conduct violates this rule, the Association will address the violation in accordance with the Association Rules and Regulations that specify the applicable penalties, fines, and suspensions.

Woodworking Procedures

Enrollment

- Each user must complete the Woodworking Shop Waiver form on an annual basis. The form is available at the Concierge Desk in the Clubhouse.
- Once completed the user needs to schedule an orientation of the usage of the Woodworking Shop with the Association's Director of Facilities or

their designee.

- Only after completion of the Woodworking Shop Waiver form and the orientation will the Member be allowed to access the Woodworking Shop.

Use of the Woodworking Shop and its Equipment

- Access to the Woodworking Shop is by use of the entry door key available at the counter in the Pro Shop. Along with the door key the user will be given a box containing the keys to the individual stationary power tools.
- Users must wear appropriate PPE (Personal Protective Equipment) when using the power equipment – hearing and eye protection are essential when using the power tools.
- Proper attire is essential to the safe use of the equipment within the Woodworking Shop. Short sleeve shirts or long sleeve shirts with buttoned sleeves must be worn - no loose clothing is permitted. Closed-toed shoes are also required – no “flip-flops” or open sandals are permitted. Clothes must be clean with no vulgar prints. Exceptions must be approved by the General Manager.

General safety tips for hand and power tools:

- Using the right tool for the task is essential to the safe use of the power tools.
- Keep all cords and vacuum hoses clear from the work area so as not present a tripping hazard.
- Inspect the tools before use to make sure they are in good shape and fit for use. Report damaged tools to the Director of Facilities.

General Care

- All equipment is to be cleaned and put back in their original location after use.
- The floor should also be swept of any sawdust or wood scraps and disposed of in the proper waste bin.
- When finished the user must make sure that all equipment is off, lock the entry door, and return the keys to the Concierge Desk.

Original Date: January 28, 2019
Revision Date: February 28, 2023
Board Approval: October 6, 2022
Reviewer: 2022 Ad-hoc Policy Committee

SECTION V COMMUNICATION RESTRAINT RULE

Background/History

Communication is a key part of the success of our Association. Our Rules, policies and procedures define the multiple ways our BOD and Management communicate with our Members and Residents. This promotes transparency, keeps Members, Residents and Guests informed, and enables community participation.

Purpose

The purpose of this rule is to define the limits of Member's, Residents and Guest's communication on behalf of the Association.

Scope

This rule applies to all Members, Residents, and Guests

Definitions

Guests

Guests include any person temporarily occupying a residence in Heritage Springs (an 'Overnight Guest') as well as any person not staying overnight in a residence in Heritage Springs but who is authorized by a Member/Resident to utilize the Association facilities. An Overnight Guest's stay will not exceed eight (8) weeks in a twelve-month period.

Members

Those persons or entities entitled to membership in the Association as provided in the Declaration.

Residents

Persons who reside in Heritage Springs and are registered with the Association as non-Owner occupants for a period of greater than 8 weeks per year. Resident do not have the same privileges as Members

Reference/Source

- Social Media Rule
- Previous Communication Policy

Rule

No Member or Resident of the Association has the authority to act or speak on behalf of the Association unless approved by the President of the Board of Directors. Section 720.303(1)

of the Florida Homeowners' Association Act specifically provides that a Member, Resident or Guest does not have the authority to act or speak for the Association by virtue of being a Member, Resident or Guest and if he or she purports to do so, or engages in defamatory or other inappropriate, threatening, or harassing communications, they may be in violation under the Association's Personal Conduct rule.

All Members, Residents and Employees will follow the provisions specified in the Association's Social Media Rule as included elsewhere in this document.

Original Date: None
Revision Date: September 9, 2022
Board Approval: October 13, 2022
Reviewer: 2022 Ad-hoc Policy Committee

SECTION VI ESTATE AND RELOCATION RULE

Background/History

An estate or relocation sale is a sale or auction to dispose of a substantial portion of the materials owned by a person who is recently deceased or who must dispose of his or her personal property to facilitate a move. Sales of this type pose several access-control risks to the community that this policy aims to address: Traffic congestion both inside and outside the community leading to potential accidents, injury and lawsuits; damage and disruption within the community and potentially unauthorized individuals entering the community.

Purpose

Written guidance to members in the community and vendors on how estate or relocation should operate.

Scope

All Heritage Springs on-site estate sales sponsored by owners and/or their designated representatives must comply with this rule. No yard or garage sales are allowed unless authorized by the General Manager.

Definitions

Owner – The owner of record, whether one or more persons or entities, of fee simple title to any Lot or Parcel which is a part of the Properties, including contract sellers, but excluding those having such interest merely as security for the performance of an obligation.

Approved Sales Vendor – vendor who has completed the sales vendor application form, business license, paid the appropriate fee and been approved by the General Manager.

Estate and Relocation Sale- A method of selling all (or nearly all) of the contents of a home after a death or resident relocation.

Reference/Source

- Previous Policy labeled Estate and Relocation Sales Policy

Rule

Estate and relocation Sales will be permitted with only an approved professional sales vendor and be restricted to the inside of the house only with no garage doors allowed to be

open except for the purpose of removing large objects.

An estate sale or relocation sale is a one-time event no more than two (2) consecutive days, between the hours of 9am to 3pm. Furnishings not originally in the home are not allowed to be added to the inventory for sale.

Procedures

The approved estate sale vendor must provide an advance notice of the sale 14 days prior to the target date to the General Manager through the Concierge Desk. The Vendor must make a payment to the Association to cover the additional costs of controlling vehicles and pedestrians for the duration of the sale. Security coverage must be verified to either owner or agent prior to the sale approval.

Those buyers wishing to attend the sale must enter Heritage Springs through the guard house main gate entrance. Outside guests will not be granted access into Heritage Springs Community Association property until 9:00 am and must depart the property not later than 3:30

The person(s) conducting the sale must follow the onsite procedures included in the application. That person(s) is/are responsible for working with a roving guard in supervising the potential buyers and their vehicles to minimize traffic congestion, to ensure that vehicles are properly parked and those potential buyers do not disrupt the neighborhood or trespass on resident properties.

Original Date: October 24, 2016
Revision Date: February 28, 2023
Board Approval: October 26, 2023
Reviewer: 2022 Ad-hoc Policy Committee

SECTION VII FITNESS CENTER RULE

Background/History

The Fitness Center is unmanned and usage is at the Member's and Resident's own personal risk. The Association offers the Fitness Center to Members, Residents and Guests at low cost with a flexible usage fee schedule.

Purpose

The purpose of this rule is to promote an active and healthy lifestyle for Members and Residents by providing a well-equipped, well-maintained, and cost-effective fitness center.

Scope

This rule applies to all Members, Residents and Guests.

Definitions

Fitness Center

The Fitness Center is located in a separate building next to the Golf Pro Shop. The center includes muscle strengthening and toning equipment, as well as cardiovascular equipment such as treadmills, stationary bicycles, elliptical machines, and rowing machines.

Proper Fitness Center Attire

Proper Fitness Center attire includes bottoms, shirts and closed-toed shoes. Clothes must be clean with no vulgar or offensive prints. Exceptions must be approved by the General Manager.

Reference/Source

- Rules and Regulation IV previously labeled as Fitness Center.
- Fitness Center Active-Duty Military Fee Policy and Fitness Center Fee Policy.

Rule

- No one is allowed to use the Fitness Center until:
 1. The appropriate fee has been paid.
 2. The medical information release form has been completed and submitted to the Concierge Desk. (Prior to embarking on a fitness program, Members and Residents are encouraged to seek the advice of a physician.)
- Usage is limited to anyone over 16 years of age.
- Fitness Center Members will not provide their code/fob to another individual.
- Fitness Center Members are required to wear Proper Fitness Center Attire and shoes.
- Fitness Center Members must follow the procedures for equipment usage.

- All Members and Residents are expected to abide by the HSCA Personal Conduct Policy.

When a Member's or a Resident's conduct violates this rule, the HSCA will address the violation in accordance with the HSCA Rules and Regulations that specify the applicable penalties, fines, and suspensions. Members and Residents are responsible for the personal conduct of their Guests.

Procedures

Enrollment

- The Fitness Center enrollment period will run from January 1st to December 31st at the prevailing annual rate.
- A resident that becomes interested in enrolling, and not previously enrolled during the year can do so by paying either a daily or monthly fee at the prevailing rate.
- New residents have the option to enroll by the end of the month that they move into the community. The prevailing annual fee will be pro-rated from the month they enroll until the end of the year. (December 31st).

Personal Trainers

- All personal trainers providing services on Heritage Springs community property, will be required to sign a waiver available at the Concierge Desk, to cover their use of Heritage Springs property.
- Criteria for Personal Trainers are:
 - Certification/Licensure (ACE, AFFA, or comparable)
 - To Provide a copy of the current insurance verification (Commercial General Liability)
- All services of personal trainers will be independently contracted by HSCA residents.

Equipment Usage

- Members, Residents and Guests need to observe any notices on time constraints related to certain pieces of equipment.
- All equipment is to be wiped down after use by the Member, Resident and Guest.
- TVs are to be left on and only the volume and/or channel can be adjusted by the users

Original Date: January 28, 2019
Revision Date: August 15, 2022
Board Approval: October 13, 2022
Reviewer: 2022 Ad-hoc Policy Committee

SECTION VIII GOLF COURSE RULE

Purpose

To ensure the standards and procedures for golf course property and rules of play are adhered to as defined in the Golf Course Handbook and approved by the BOD

Scope

The rule applies to Members, Residents and Guests

Definitions

Guests

Guests include any person temporarily occupying a residence in Heritage Springs (an 'Overnight Guest') as well as any person not staying overnight in a residence in Heritage Springs but who is authorized by a Member/Resident to utilize the Association facilities. An Overnight Guest's stay will not exceed eight (8) weeks in a twelve-month period.

Members

Those persons or entities entitled to membership in the Association as provided in the Declaration.

Residents

Persons who reside in Heritage Springs and are registered with the Association as non-Owner occupants for a period of greater than 8 weeks per year. Resident do not have the same privileges as Members

Reference/Source

- Previous Rule V – Golf Course Rules and Regulations
- Golf Course Violation Reporting Policy
- Golf Fees Prepaid Refund Policy
- Golf Preferred Tee Time Policy
- Golf Course Memorial Trees & Plaques on the Golf Course Policy

Rule

Members, Residents and Guests must adhere to the rules of play, fees, equipment and dress code, golf course property access, maintenance and use as defined in the Golf Course Handbook. The Golf Course Handbook is approved by the Heritage Springs Board of Directors and is incorporated into the Golf Course Rule.

The Handbook can be requested from the Pro Shop or found on the Heritage Spring Website.

Original Date: January 28, 2019
Revision Date: July 25, 2022
Board Approval: October 13, 2022
Reviewer: 2021 - 2022 Ad-hoc Policy Committee

SECTION IX MEMBER PROPERTY LEASING RULE

Background/History

Heritage Springs exists for the enjoyment of its Members and Residents. However, there are times when a Member chooses to lease their property to another individual(s). Such leases are the subject of this rule.

Purpose

The purpose of this rule is to provide a uniform set of requirements when a property is leased and to guarantee continued compliance with the Heritage Springs Community Declarations and Rules and Regulations

Scope

This rule applies to all properties within Heritage Springs, whether in a self-maintained or maintained village.

Definitions

Assignment of Use Form

Form that the Owner completes allowing Lessee to receive privileges held by the Owner.

Guests

Guests include any person temporarily occupying a residence in Heritage Springs (an 'Overnight Guest') as well as any person not staying overnight in a residence in Heritage Springs but who is authorized by a Member/Resident to utilize the Association facilities. An Overnight Guest's stay will not exceed eight (8) weeks in a twelve-month period.

Lessee

The person that the lease is granted to (the person paying rent to use the property). This can also be known as the Tenant.

Lessor

The Member and Resident that issues the lease (allows the property to be rented) to those persons or entities entitled to membership in the Association as provided in the Declaration.

Members

Those persons or entities entitled to membership in the Association as provided in the Declaration.

Owner

The owner of record, whether one or more persons or entities, of fee simple title to any Lot or Parcel which is a part of the Properties, including contract sellers, but excluding those having such interest merely as security for the performance of an obligation.

Residents

Persons who reside in Heritage Springs and are registered with the Association as occupants for a period of greater than 8 weeks per year.

Reference/Source

- Master Declaration Article VII, Section 2 – Delegation of Use.
- Previous Rule XII – Lease Procedures and Transfer of Privileges

Rule

- All Lessees'/tenants' (herein referred to as "Lessee(s)") names must be listed on the Lease Agreement. Leases must contain a clause that indicates the Lessee has received a copy of all Association governing policies, including the Rules and Regulations, and agrees to be bound by and comply with them.
- The Owner and Lessee must execute an Assignment of Use form and pay the appropriate fee. (See Concierge Desk for Assignment of Use form.)
- The Lessee must register in person with their lease agreement and execute the age verification policy with the Concierge Desk.
- In accordance with the Declaration, one person 50 years of age or older must occupy the property under any lease agreement.
- Any Owner may assign, in accordance with the Bylaws, the right of enjoyment to all amenities or facilities to the Lessee who reside at the Owner's lot, providing the Owner waives their use in writing on the Assignment of Use Form and files it with the General Manager.
- A Lessee will not transfer any privileges to another person. There is no subleasing.
- There will be no leases less than 180 days, with the exception of evidence of a valid purchase agreement for a unit in Heritage Springs.
- A copy of the lease must be given to the General Manager. Personal information,

e.g., cost, addresses may be redacted.

Original Date: January 28, 2019
Revision Date: August 31, 2022
Board Approval: April 26, 2023
Reviewer: 2022 Ad-hoc Policy Committee

SECTION X MONUMENT AREA DECORATION RULE

Background/History

The rule outlines the uniform display of items that can be exhibited at a village monument for decorations and the American flag. A monument area exists at each village entry. Also at the entrance, a post with a secure flag bracket has been provided for each village. The monuments are constructed of Styrofoam and stucco, and attaching decorations to them can damage the monuments.

Purpose

This rule facilitates a consistent display of decorations, and the American flag at each village entry.

Scope

This rule applies to all villages within Heritage Springs.

Definitions

Monument and Monument Area

The entrance of each village has a structure(s) that includes the name of the village, “Monument”, and a landscaped area around the Monument(s), “Monument Area”.

Village

The villages are designated Association neighborhoods and the term includes villages and estates.

Reference/Source

- Previous Rules and Regulations General Section Association Property, Section C.
- Previous Village Entry Flag Mount Bracket Policy
- United States Code Title 4 Chapter 1 – The Flag

Rules

- American Flag
The Association has installed and will maintain one flag mount bracket.
 - The mounting bracket may be used to support a flag and support pole by the Association on the following holidays, Presidents Day, Memorial Day, Flag Day, Independence Day, and Veterans Day. Only official U.S. flags are to be flown on the provided mounting bracket.

- To ensure consistency all U.S. American Flags must be 3 feet X 5 feet
- Villages who wish to display the flag year around must purchase and maintain their own flag according to the Association requirements. The requirements are posted on the website
 - Flags that are flown after dark are to be total illuminated from the ground.
 - Flags are to be handled with all due respect as defined in United States Code Title 4 Chapter 1 – The Flag

- Monument Area Decorations

Displays shall be directly related to the meaning and spirit of the holiday/special occasion. Any decoration that is inappropriate or distasteful is subject to removal. Installation shall be no earlier than twenty (20) days prior to the holiday/special occasion and must be removed within 5 days afterwards. Christmas and Hanukkah have a special exception. Installation shall be no earlier than December 1 and removal is 10 days after the holiday. Decorations cannot obstruct traffic.

 - When placing decorations on the monument, no damage shall take place to the monument. Anything used to attach decorations to a monument must be removed without damaging the monument.

 - Members and Residents may not make any changes to electric or water at the entrance monuments. Any required maintenance will be completed by the Association staff.

Oversight of village decorations shall be the responsibility of the General Manager or his/her designee.

Original Date: January 28, 2019
 Revision Date: August 15, 2022
 Board Approval: October 13, 2022
 Reviewer: 2022 Ad-hoc Policy Committee

SECTION XI PERSONAL CONDUCT RULE

Background/History

As a private community, the Association has the right and responsibility to set its and standards of behavior.

Improper conduct by Members, Residents and Guests can be damaging in several ways. Examples include:

- Impairing the ability of other Members and/or Residents to enjoy the rights and privileges of membership.
- Hampering the community's ability to attract and retain top-notch employees, who are among our community's most important assets.
- Damaging the community's good reputation, which in turn can be detrimental to our financial health.

From time to time the Association has unfortunately found it necessary to remind Members and Residents about their personal conduct.

Purpose

The purpose of this rule is to make all Members and Residents aware that they and their Guests are expected to behave in a civil, respectful, and appropriate manner, consistent with membership in a private club.

Scope

This rule encompasses the personal conduct of all Members, Residents and their Guests, the Association Board members, and Committee members, whenever on community property or acting on behalf of the Association.

Definitions

Association

The HERITAGE SPRINGS COMMUNITY ASSOCIATION, INC. (HSCA), a Florida not-for-profit corporation, its successors and assigns.

Guests

Guests include any person temporarily occupying a residence in Heritage Springs (an 'Overnight Guest') as well as any person not staying overnight in a residence in Heritage Springs but who is authorized by a Member/Resident to utilize the Association

facilities. An Overnight Guest's stay will not exceed eight (8) weeks in a twelve-month period.

Guests shall pay applicable guest fees (i.e., Pool or Tennis).

Members

Those persons or entities entitled to membership in the Association as provided in the Declaration.

Residents

Persons who reside in Heritage Springs and are registered with the Association as non-Owner occupants for a period of greater than 8 weeks per year. Residents do not have the same privileges as Members

Owner

The owner of record, whether one or more persons or entities, of fee simple title to any Lot or Parcel which is a part of the Properties, including contract sellers, but excluding those having such interest merely as security for the performance of an obligation such as a lien.

Reference/Source

- Florida Statute 720, Homeowners' Associations.
- Master Declaration of Covenants, Conditions, and Restrictions for Heritage Springs Article 1 Section 17
- Previous Rule VIII - Conduct.
- Previous Code of Conduct Policy.

Rule

The Association requires a high standard of personal conduct.

Respectful and courteous treatment applies to interactions between Members, Residents, Guests, Board of Directors, Committee Members, Employees and Vendors. The aforementioned shall not engage in improper and offensive conduct.

1. Improper conduct includes, but is not limited to, quarrelling, shouting or similar actions resulting in a disturbance.
2. Offensive conduct, includes, but is not limited to offensive, abusive, or threatening language or use of profanity.
3. Physically threatening conduct includes, but is not limited to, physical contact, abuse, threats or fighting.

4. Members, Residents, and Guests shall not provide direction to HSCA Vendors.

When a Member's, Resident's or Guest's conduct violates this Rule, the Association will address the violation in accordance with the Association Rules and Regulations that specify the applicable penalties, fines and suspensions.

Members and Residents are responsible for the personal conduct of their Guests.

Procedures

- When an act of alleged bad conduct occurs, the Member, Resident, Guest or Employee reports it to the General Manager or his/her designee who documents the alleged offense.
- The alleged act is investigated by staff assigned by the General Manager who then determines if a violation has occurred.
- If the conduct is deemed by the General Manager to have been a violation of this Rule, the provisions of Section XVIII, Violations of Rules and Penalties, are initiated.

Original Date: January 28, 2019

Revision Date: August 12, 2022

Board Approval: December 29, 2022

Reviewer: 2021 - 2022 Ad-hoc Policy Committee

SECTION XII SWIMMING POOL AND SPA RULE

Background/History

The pool and spa are amenities of the Association for use by Members, Residents and Guests. Pool and spa facilities are located at the Clubhouse. This is the area fenced around the pool and spa.

All Members, Residents and Guests swim at their own risk. There is no Lifeguard on duty.

Purpose

The purpose of this s is to guarantee that Members, Residents and Guests can access the pool and the spa area.

Scope

This rule applies to Member, Resident and Guest use of the common area pool and spa.

Definitions

Guests

Guests include any person temporarily occupying a residence in Heritage Springs (an 'Overnight Guest') as well as any person not staying overnight in a residence in Heritage Springs but who is authorized by a Member/Resident to utilize the Association facilities. An Overnight Guest's stay will not exceed eight (8) weeks in a twelve-month period.

Members

Those persons or entities entitled to membership in the Association as provided in the Declaration.

Residents

Persons who reside in Heritage Springs and are registered with the Association as non-Owner occupants for a period of greater than 8 weeks per year. Resident do not have the same privileges as Members

Reference/Source

- Master Declaration Article VII Section 6
- Previous Pool & Spa Rule VI.
- Personal Conduct Rule XI.
- FL Building Code Section 454.1 – Public Swimming Pool

Rules

These rules govern the use by Members, Residents and Guests of the pool and spa area.

Pool/Spa Access

- The pool and spa areas are open from dawn to 11pm and can be used with deck lights by Members, Residents and Guests.
- Guests under the age of 12 must be accompanied by either a Member, Resident or Guest over 18 with proof of age. Staff may ask about age.
- Each property may have up to six (6) Guests. If you have more than six Guests, special arrangements need to be made with the General Manager or his/her designee.

Safety and Security

- All persons using the pool must follow the posted safety and security rules.
- No pets are allowed in pool and spa area or the upper deck, with the exception of registered Service Animals.
- When threatening weather conditions, such as lightning, are present, all users must exit the pool until the weather clears. The pool and spa shall be cleared for 15 minutes after the last lightning strike.
- No diving, running, jumping, cannon balls, tossing and pushing others, wrestling, ball playing, and towel snapping is allowed.
- No glass of any kind is allowed in the pool area.
- No bicycles, roller skates, skateboards, or Frisbees are permitted in the area.
- No motorized vehicles are permitted in the area unless they are supporting ADA mobility.
- No balls of any kind are permitted in the area unless for use in an Association-sponsored sport.

Flotation Devices

- No flotation devices are permitted in the pool area except for noodles and safety devices.

Pool Environment

- All Members, Residents and Guests swim at their own risk. There is no Lifeguard on duty.

- All trash must be placed in a garbage container.
- Food and beverage must be purchased from the club house.
- Pool patrons must enter the Lounge from the West Entry and must wear pool acceptable foot wear, shirt or suit cover-up.
- If the restaurant and Lounge are closed, Members, Residents and Guests may bring their own food in unbreakable containers, to the pool area.
- No food or drink is allowed in the actual swimming pool.
- No profanity or abusive language is permitted.
- Any personal entertainment devices must be used with earbuds.
- No smoking or vaping in the pool area.

Proper attire

- Swimming suits must be worn. No other types of attire such as shorts, jeans or cut-offs are allowed in the pool/spa as a substitute for swimming suits or trunks.
- Children must wear swimming diapers or rubber pants with their diapers.
- Others using absorbent products should also use additional protection.

Original Date: January 28, 2019
Revision Date: August 3, 2022
Board Approval: October 20, 2022
Reviewer: 2022 Ad-hoc Policy Committee

SECTION XIII RECORD REQUEST RULE

Background/History

Members have the right to request records from the Association. The records are either in current working files or may have been archived. To fulfill the record requests, Association Employees have to search and find the Member requested information. Depending on the request, the Employee must also copy and arrange the records. In some cases, information on the records must be redacted before copying and distribution.

Purpose

This rule outlines the process for Members who desire to view or request Association records.

Scope

This rule applies to any request for records by Members

Definitions

Employees

Person(s) hired to work under the control and supervision of HSCA.

Members

Those persons or entities entitled to membership in the Association as provided in the Declaration.

Reference/Source

- Florida Statue 720.303 (5) is referenced herein
- Previous Rules & Regulation XI Record Inspection and Copying

Rules

Only Members can make records requests and must follow the Rules below.

- Members must make a formal written request to review records and can review the documents under the Supervision of the General Manager or his/her designee.
- Members must make a formal written request for copies of records and pay the corresponding fee for the time and effort for obtaining the record and copying the record(s). The Member will pay for both the retrieval of the records and any request for copies. The retrieval cost will be incurred if it takes longer than 30 minutes to

obtain the requested records and each copied page will have a cost if more than 25 pages.

- The request either for viewing or copying will be available to the Member within ten (10) business working days of the request.
- There can be no more than five (5) Members present when viewing a record request.
- All persons inspecting or requesting copies of records will conduct themselves in a businesslike manner and will not interfere with the operation of the Association Administrative Office or place where the records are otherwise inspected or copied.
- Records concerning Association legal matters and personnel related issues are not available for review.

Procedures

1. Any request for records must be in a written format. Members must submit a formal letter to the General Manager. If mailed, it should be sent 'Certified' to the General Manager.
2. Each request must include the Member name, address and telephone number.
3. The request will provide detail on the specific records they wish to inspect or copy.
4. If only viewing the records, the General Manager or designee will reach out to schedule a time and place for viewing.
5. When only viewing the records, NO MARK can be made on any record.
6. The Member will pay the predetermined amount for the time the Employee invested finding and retrieving the record. The Member will also pay a predetermined amount per single side for copying. A two-sided document is considered two (2) pages.
7. The Association Employee will provide a detailed accounting of the time spent for retrieval and copying prior to the Member reviewing or obtaining copies. The invoice must be paid at the time of delivery.

2022 Prevailing Charges

Per Florida Statue 720.303 (C), 25 cents per page for copies made on the association's photocopier. If the time spent retrieving and copying the records exceeds one-half hour, the Association may impose personnel costs, not to exceed \$20 per hour. Personnel costs may not be charged for records requests that result in the copying of 25 or fewer pages. These costs can be updated and changed at any time.

Original Date: January 28, 2019
Revision Date: August 20, 2022
Board Approval: October 27, 2022
Reviewer: 2021 - 2022 Ad-hoc Policy Committee

SECTION XIV SOCIAL MEDIA RULE

Background/History

Heritage Springs Community Association recognizes that its Members may elect to use social media not only as a form of self-expression, but also as a means to communicate their personal views on our community's social events and activities. These social media communications do not represent the official communications of the Association, the Board of Directors, nor our Association's management staff. Also, they are not a reliable source of information concerning the Association's official opinions, positions and applicable facts. Social media communications are not a legally protected venue to communicate in a manner that is harassing, threatening, and or defamatory to our Association, Members, and Residents. communications should not be disparaging on our community and impact our Association's good reputation. Therefore, it's important that all Association Members and Residents are aware of the implications of engaging in forms of social media and online conversations that reference the Association, Board members, and/or the Member's relationship with the Association. Members and Residents recognize when they might be held responsible for their communications using social media.

As the online landscape continues to mature, the opportunities for Heritage Springs Members to communicate with each other and the world are evolving. Social media creates opportunities to champion or disparage the community and for personal expression, but it also carries risks of legal liability and responsibilities. Each member should assume that anything posted on social media – on a personal account – could be viewed by the Association, another Member, a potential future resident or a subversive person or organization. All postings on social media can reflect on Heritage Springs, can impact the community environment, and, subject to applicable law, will not be exempt from this rule simply because it occurred on a personal account or was communicated by a Heritage Springs Member. Of greatest importance to members is that the airing of community issues on social media can enhance or smear the reputation of a neighborhood and have a positive or adverse effect on property values. Misuse of social media by Members can defeat the very purpose of maintaining the quality of living and property values

Purpose

To establish a rule and define the type of content that is permitted and not permitted when Members post information on social media pages that may constitute a violation of the Heritage Springs Association's Conduct Rule associated with Member communications that are harassing, threatening and defaming or places the Association and its Members in a

disparaging manner.

Scope

Applies to all Members and Residents, including those serving on the Board of Directors, and covers all social media platforms including but not limited to: Twitter, LinkedIn, Instagram, Facebook, WeChat, YouTube, Flickr, Twitch, Heritage Happenings, blogs, wikis or any other tool or service that facilitates interactions over the internet.

Definitions

Social Media

The term social media refers to a computer-based technology that facilitates the sharing of ideas, thoughts, and information through virtual networks and communities. Social media is internet-based and gives users quick electronic communication of content, such as personal information, documents, videos, and photo

Members

Those persons or entities entitled to membership in the Association as provided in the Declaration.

Residents

Persons who reside in Heritage Springs and are registered with the Association as non-Owner occupants for a period of greater than 8 weeks per year. Resident do not have the same privileges as Members

Social Media Manager

An individual trusted with monitoring contributing to, filtering, measuring and otherwise guiding the social media presence of a brand, product, individual or corporation

Reference/Source

- Multiple commercial and HOA websites
- Communication Restraint Rule BOD Approved October 13, 2022

Rule

Members and Residents are welcomed and encouraged to elect as a personal choice to participate in online social media space, but are urged to exercise sound judgment and common sense when doing so because when publicly posted online can be traced back to the originator. **When posting content that may be attributed to the Association** on any form of social media all Association Members should observe the Association's Personal Conduct Rule and the following:

- No Member of the Association has the authority to act or speak on behalf of the Association unless approved by the President of the Board of Directors. Section 720.303(1) of the Florida Homeowners' Association Act specifically provides that a Member does not have the authority to act or speak for the association by virtue of being a Member and if he or she purports to do so, or engages in defamatory or other inappropriate threatening or harassment communications, may be a violation under the Association's Personal Conduct rule.
- If the Association's name is being used in any way as a part of or wholly as the title for a social media page that may cause confusion as to whether or not the Association is the host of the page and its contents, the Social Media Manager should clarify that its contents are not that of the Association or the Association's Board of Director.
- Members are reminded to make a complaint they can use the Green Sheet process to officially register any concerns or complaints that they may have about the Association
- Members shall not post any confidential, attorney-client privileged, or work-product privileged information relating to Association litigation or collections on any social media site.
- Members shall not use social media pages to conduct disputes that may spill over into the larger community and damage the Association's reputation.
- Members shall not post Association-related content or images to social media pages without permission of the content owner or proper attribution in order not to subject the Association to monetary penalties for copyright or trademark infringement.

Original Date: None
Revision Date: None
Board Approval: November 16, 2022
Reviewer: 2021 - 2022 Ad-hoc Policy Committee

SECTION XV TENNIS, BOCCE, HORSESHOES, AND SHUFFLEBOARD RULE

Background/History

Created to provide rules on code of conduct, reservations, attire, and use timelines

Purpose

To ensure the tennis courts, bocce courts, horseshoe pits and shuffle board courts are available for member use on a fair and equitable basis with appropriate activities and attire.

Scope

Provides the Member, Resident, and Guest requirements to use the courts and the procedures to reserve, access and use the different court types

Definitions

Guests

Guests include any person temporarily occupying a residence in Heritage Springs (an 'Overnight Guest') as well as any person not staying overnight in a residence in Heritage Springs but who is authorized by a Member/ Resident to utilize the Association facilities. An Overnight Guest's stay will not exceed eight (8) weeks in a twelve-month period.

Member(s)

Those persons or entities entitled to membership in the Association as provided in the Declaration.

Residents

Persons who reside in Heritage Springs and are registered with the Association as occupants for a period of at least eight (8) weeks per year.

Reference/Source

- Previous Rules and Regulations VII
- Replaces Park Area Reservation and Sports Court Policy

Rules

Members, Residents and unaccompanied Guests who are 16 and over can use the Tennis, Bocce, and Shuffle Board courts and Horseshoe Pits. Only sports that are designed for each type of court are allowed in that space.

- Tennis Courts
 - Courts are open from 7:30 a.m. until 10:00 p.m.
 - While using the courts food and beverage is allowed, however no breakable containers.
 - No pets are allowed on any of the court areas.
 - Court reservations are required (except where “open tennis” is designated) in order to ensure availability of desired court times.
 - Reservations must be made through the clubhouse Concierge Desk.
 - Reservations may be made on a first come first served basis and not more than one week in advance.
 - Those with reservations are expected to notify those in play that the court is reserved and ask the players to vacate the courts.
 - Failure to show up within 15 minutes of the time reserved will open the courts to other players.
 - A group of 15 or more members acting as a sports/social club may utilize the courts and request a standing reservation. This sports club must present their request to the General Manager or his/her designee to obtain approval.
 - Last players of the evening prior to the courts closing will turn off the court lights.
 - Players on the tennis courts must wear proper clay court tennis shoes and appropriate tennis or other sportswear. Swimsuits, cut-offs and sports bras without a shirt are not permitted.

- Bocce
 - Reservations must be made through the clubhouse Concierge Desk.
 - Reservations may be made on a first come first served basis and not more than one week in advance.
 - Those with reservations are expected to notify those in play that the court is reserved and ask the players to vacate the courts. Failure to show up within 15 minutes of the time reserved will open the courts to other players.
 - Equipment is located in the closet by the courts’ restroom.
 - When play is complete the equipment is to be returned to its proper storage location.
 - Appropriate attire is required. Swimsuits, cut-offs and sports bras without a shirt are not permitted
 - A group of 15 or more members acting as a sports/social club may utilize the courts and request a standing reservation. This sports club must present their request to the BOD and obtain its approval.

- Horseshoes, Shuffleboard
 - Equipment is located in the closet by the courts' restroom.
 - When play is complete the equipment is to be returned to its proper storage location.
 - Appropriate attire is required. Swimsuits, cut-offs and sports bras without a shirt are not permitted.

Original Date: January 28,2019

Revision Date: May 18, 2022

Board Approval: October 27, 2022

Reviewer: 2021 - 2022 Ad-hoc Policy Committee

SECTION XVI VEHICLES RULE

Background/History

Within Association property, Members, Residents and Guests may create an unsafe environment by disregarding local and state laws that include age requirements for vehicle use and the parking of vehicles in the street when parking spaces are unavailable. In addition, residents often use their garages for storage purposes which then displaces vehicles that have to be parked in driveways resulting in an unsightly community appearance and diminished property values. To address these issues the Declaration specifies several vehicle usage and parking restrictions that are supported by this rule.

Purpose

To ensure that the Vehicles of Members, Residents and Guests are operated and parked in places that are designated for such use in order to preserve the community's aesthetic appeal, safeguard property values and maintain a safe environment that complies with all legal requirements.

Scope

The Rule applies to Members, Residents and Guests.

Definitions

Bicycles

A Bicycle is a Vehicle composed of two or three wheels held in a frame, with one or two behind the other, propelled electrically or by pedals and steered with handlebars attached to the front wheel.

Guests

Guests include any person temporarily occupying a residence in Heritage Springs (an 'Overnight Guest') as well as any person not staying overnight in a residence in Heritage Springs but who is authorized by a Member/Resident to utilize the Association facilities. An Overnight Guest's stay will not exceed eight (8) weeks in a twelve-month period.

Inoperable Vehicle

An inoperable vehicle is one which, for a period of at least seven (7) days, cannot start under its own motor power, or the engine, wheels or other parts have been removed, or on which the engine, wheels or other parts have been altered, damaged or otherwise so treated that the vehicle is unsafe to operate or is incapable of being driven under its own motor power,

or, does not meet all the requirements under Florida Statutes, Title XXIII Motor Vehicles, Chapter 316 State Uniform Traffic Control

Members

Those persons or entities entitled to membership in the Association as provided in the Declaration.

Residents

Persons who reside in Heritage Springs and are registered with the Association as occupants for a period of greater than 8 weeks per year.

Vehicle

A Vehicle is any motorized means of conveyance, including (but not limited to) automobiles, trucks, vans, RV's, golf carts, mopeds, e-bike, motorcycles, hoverboards, etc.

Reference/Source

Master Declaration Article IX, Section 13
Previous Rule X Vehicles

Rules

- **All Guests and Vendors must go through the Main Access Gate at 11130 Robert Trent Jones Drive Trinity, FL 34655**
- **Members and Residents may not assist guests and/or vendor vehicles to gain entry into the Community at the Member only gates.**
- Operators of motor vehicles must display a required Permit or be registered at the Gate House, and comply with State and County traffic laws and all Association Regulations.
- Vehicles, including Vendor's vehicles, must be parked in designated parking areas, driveway, or within a garage and may not obstruct streets, sidewalks, driveways, dumpsters, fire hydrants, or other Association Property. No street parking is permitted after midnight.
- Vehicles inoperable, abandoned or illegally parked can be towed at owners' expense. Inoperable vehicles are not allowed in any common parking area. Members who have Guests with trucks, RV's and boats must make arrangements with the Concierge Desk for overnight parking instructions.
- Driver of Vehicles must comply with posted speed limits and other signage.

- Vehicles share the roadways equally. Operators of bicycles and golf carts have the same rights and responsibilities as operators of other motor vehicles.
- Persons operating a motor vehicle or golf cart independently within Heritage Springs must be at least sixteen (16) years of age and in possession of a valid driver's license.
- Parking of Vehicles in the Clubhouse circular drive is limited to ten (10) minutes.
- Golf carts must be parked only in designated areas. This includes the concrete areas set aside for golf cart parking or grassy areas at the Pavilion, and Clubhouse.
- No Vehicle covered with a car cover or tarpaulin can be parked on a driveway or paved parking surface within the Association property or more than eight (8) hours.
- Reckless operation of any Vehicle is prohibited.
- When operated between sundown and sunrise, all Vehicles must have front and rear working lights or front working lights and rear reflectors
- The following must be kept inside a garage and concealed from public view or in the designated recreational vehicle parking area.
 - Non-commercial pickup trucks,
 - Vans,
 - Boats and boat trailers,
 - Campers, travel trailers, mobile homes, and recreational vehicles,
 - Golf carts and the like
 - Vehicles not in operable condition and validly licensed,
 - Vehicles in the process of being modified or restored
- Motorcycles, mopeds, go-carts, motorized scooters, or other similar vehicles or equipment are to be driven only on the roadways while in Heritage Springs. Motorized scooters and wheelchairs designed for use by the handicapped may be driven on the sidewalks.
- Moving containers such as PODS may be left on a driveway, but they must be unloaded and removed within 14 days and must be registered with the General Manager or his/her designee no later than the day the POD(s) arrives at Heritage Springs.
- Golf Carts must show proof of insurance on an annual basis and must register and pay any cart user fee as required by the Association. Information on how to register and show proof of insurance can be found on the HSCA website, the Concierge desk or the Pro Shop.
- Bike riding in Heritage Springs is only permitted on the streets, except when children 12 and under are accompanied by an adult. Bike riders must follow the Florida Statute 316, Section 2065, covering bicycle regulations. Riders must "yield the right

of way to any pedestrian and shall give an audible signal before overtaking and passing such pedestrian".

Original Date: January 28, 2019
Revision Date: September 13, 2022
Board Approval: October 27, 2022
Reviewer: 2021 - 2022 Ad-hoc Policy Committee

SECTION XVII VENDOR HOURS OF OPERATION RULE

Background/History

There are many vendors who require admittance to work and provide services within our community. This Rule exists to support a quality lifestyle for our residents by ensuring that the disruptions to the local environment are kept to a minimum when balanced against the needs for the maintenance or upkeep of the common areas and Member properties along with transport of personal property.

Purpose

This rule is intended to help maintain the “peaceful” environment desired by our residents by controlling the hours that the disruptive activities can take place.

Scope

This applies to all contractors, vendors, or other service providers who work within Heritage Springs.

Definitions

Vendor

A person or company offering services and/or something for sale

Reference/Source

- Previous Vendor Hours of Operation Member & Village Policy
- Previous Gatehouse Member & Village Vendor Hours of Operations Policy

Rules

- Vendors, contractors, and service providers, etc., providing services to Members, Member properties, and Villages may not gain entry into the community until 7:30 a.m. Trash removal service providers may not gain entry into the community until 8:00 a.m.
- **All Vendors must go through the Main Access Gate at 11130 Robert Trent Jones Drive Trinity, FL 34655**
- Vendors, contractors, and service providers, etc., providing services to Members, member properties, and villages which use equipment such as lawn maintenance equipment, pressure washers, generators, compressors, saws, and any noise

emitting equipment, etc., may not start or operate any of this type of equipment until 8:00 a.m. and they may not work in the community after 7:00 p.m.

- Exceptions to the rule include urgent home maintenance situations such as loss of power, air conditioning, plumbing etc., disabled automobile and household movers. Additional exceptions can be made with approval from the General Manager or his/her designee.

Original Date: January 28,2019
Revision Date: August 22, 2022
Board Approval: October 27, 2022
Reviewer: 2021 - 2022 Ad-hoc Policy Committee

SECTION XVIII VIOLATIONS AND PENALTIES

Background

Florida Statute 720.305 provides that an Association may levy reasonable fines and suspensions against any Member, Resident or Guest for violations of a Homeowner Association's Declaration or Rules and Regulations.

Purpose

The purpose of this Rule is to:

- Establish that violations of Heritage Springs Community Association, Inc. (HSCA) Rules may result in a Penalty or Suspension
- Establish how an alleged violation is reported
- Establish that each violation will be investigated by the General Manager (GM) or their designee
- Establish Enforcement Procedures
- Identify Penalty Categories
- Set out Disputes and Resolution Committee Hearing Procedures
- Set out Penalty Imposition Procedures

Scope

This rule applies to Members, Residents and Guests.

Note: Members and Residents are responsible for the Personal Conduct and Rule adherence of their Guests.

Definitions

D&R Committee

The Disputes & Resolutions Committee (D&R) is a standing committee of the Board of Directors (Board) of Heritage Springs Community Association.

Declaration or Master Declaration

The Master Declaration of Covenants, Conditions and Restrictions for Heritage Springs.

Guests

Guests include any person temporarily occupying a residence in Heritage Springs (an 'Overnight Guest') as well as any person not staying overnight in a residence in Heritage Springs but who is authorized by a Member/Resident to utilize the Association facilities. An Overnight Guest's stay will not exceed eight (8) weeks in a twelve-month period.

Members

Those persons or entities entitled to membership in the Association as provided in the Declaration.

Penalty

A penalty may include fines, suspension of use rights such as Association amenities and common areas, suspension of bar codes or other legal remedies.

Penalty Notification Letter

Written notice of the violation of a Rule issued to a Member or Resident by the GM or Association attorney.

Residents

Persons who reside in Heritage Springs and are registered with the Association as occupants for a period of greater than 8 weeks per year.

Rules and Regulations (Rule, Rules, and R&R's)

Rules and Regulations adopted by the Board and published by the Association governing the use and enjoyment of the Common Areas and the conduct of Members, Residents, Guests, agents, and contractors within Heritage Springs. For purposes of this Rule and these procedures, the term Rule encompasses Rules and Regulations.

Violator

A Person who has been alleged or determined to have violated the HSCA Rules or Declaration. For purposes of this Rule and the D&R hearing procedures a violator is deemed to be a party.

Warning Letter

Written notice may be issued to a Member advising them that a specific Rule or Declaration has or is being violated, provide a timeline to cure the violation, and delineate the penalties available to the Board for noncompliance. The Warning Letter does not impose any penalties, nor does it trigger any legal rights of the Member nor trigger a D&R Committee hearing. The Warning Letter is not necessary in instances of severe or egregious violations as determined by the GM that require immediate action, nor does it waive the Board's right to seek other remedies at law or in equity.

References

- Florida Statute Title XL, Chapter 720.305
- HSCA Master Declaration of Covenants, Conditions and Restrictions
- HSCA Bylaws
- HSCA Rules and Regulations

Rule

Each Member, Resident and Guest is governed by, and must comply with HSCA Declarations and Rules. Any Member, Resident or Guest who violates a HSCA Declaration or Rule may be subject to a fine or suspension levied by the Board in accordance with Florida Statute Title XL, Chapter 720.305.

Nothing in this Rule waives the right of the Board to skip warning and/or cure steps set out in this Rule or to seek other remedies at law or in equity for severe or egregious violations as

determined by the GM that require immediate action.

Reporting and Investigation Procedure

Any Member, Resident or Association staff who observes a Member, Resident or Guest demonstrating behavior that appears to be in violation of HSCA Declarations or Rules, should report the matter to the GM or their designee.

Once reported, the GM or their designee will investigate to determine whether a violation has occurred, take immediate action, if necessary, complete an investigation report, compile a record to include supporting information, statements, pictures, prior verbal, or written violation notices, etc., and create a recommendation for enforcement action.

A. Enforcement Procedures

Severe or egregious violations may require the GM or their designee to take immediate action, and/or skip warning and/or cure steps set out in this Rule.

- **Verbal Warning:** A violation may be addressed by the GM or their designee with a Verbal Warning, specifying the specific Rule or Declaration violated, and a timeline to cure the violation. The Verbal Warning should be documented in a confidential file for that Member or Resident. If the violation is incurred by a Guest, the documentation should be placed in a confidential file for the Member associated with the Guest.
- **Warning Letter:** If a violation subject to a Verbal Warning is not cured immediately, or, if a violation otherwise warrants, a Warning Letter will be issued by the GM or Association attorney, to the Member or Resident at their designated mailing address or Member/Resident-approved email address in the Association's official records, which will include a description of the violation, the specific action and timeline required to cure the violation, if applicable, and penalties available to the Board for non-compliance.
- **Penalty Notification Letter:** If a violation is not cured within the timeline specified in a written warning, or if a violation otherwise warrants, a penalty or suspension may be recommended by the GM to the Board, and a Motion to impose a penalty or suspension will be made and voted on by the Board at a Board Meeting.
 - Prior to the Board Meeting, the Member or Resident will be notified in writing that the Board will vote on the recommended penalty or suspension.
 - If approved by the Board, the fine and/or suspension will not be imposed until confirmed by the D&R Committee at a Hearing.
 - The Member or Resident will be notified of the Hearing by a Penalty Notification Letter, which will be issued by the GM or Association attorney to the Member or Resident at their designated mailing address or approved email address in the Association's official records.
 - The Penalty Notification letter will include:
 - A description of the violation.
 - The specific action and timeline required to cure the violation, if applicable.
 - The penalty or suspension approved by the Board.
 - The date, time and location of the Hearing to be held before the D&R Committee for confirmation or rejection of the penalty or suspension.

- Telephone or electronic access information, if applicable.
- A copy of the case documents in the possession of the GM at the time.
- The Hearing shall be at least 14 days after delivery (19 days after mailing) of the penalty Notification Letter to the Member or Resident.
- **Closure:** It is the responsibility of the GM or their designee to 1. Monitor Member/Resident compliance with the penalty; 2. Advise the Board of the status of the matter; and 3. Note the Member/Resident file accordingly.

B. Penalty Categories:

<u>CATEGORY</u>	<u>PENALTY</u>	<u>VIOLATION</u>
A	Violation does NOT include offensive or threatening conduct, or property damage.	Fine not to exceed \$25.00 and/or suspension of bar codes for up to 30 days.
B	Violation does NOT include threatening conduct and/or includes property damage under \$500.00 or repeat or uncured category “A” violations.	Fine not to exceed \$50.00 and/or suspension of bar codes not to exceed 60 days and/or suspension of the right to access and use facilities not to exceed 60 days.
C	Violations that include threatening conduct and/or property damage over \$500.00 or repeat or uncured category “B” violations.	Fine not to exceed \$100.00 and/or suspension of bar codes not to exceed 120 days and/or suspension of the right to access and use common areas and/or facilities not to exceed 120 days.

C. Hearing Procedures

The following procedures apply to the D & R Committee Hearing. Further details can be found in the D & R Committee Manual:

- The Hearing will be scheduled no sooner than 19 days following the email/ mailing of the Penalty Notification Letter, to ensure that the Member or Resident subject to the fine or suspension has at least 14 days’ written notice of the Hearing date.

- The Hearing may be held in person, by telephone or by other electronic means. If in person, the Member/Resident has the right to attend by telephone or electronically.
- The Hearing will be held before at least three (3) D&R Committee Members.
- The Member or Resident subject to the violation may be represented by persons of their choosing. If the Member or Resident chooses to have an attorney present to represent them, they must provide 7 days advance notice to the GM.
- The D&R may be represented by counsel.
- All parties have the right to present their own witnesses and to examine other witnesses present at the hearing.
- Prior to the Hearing, the D&R Committee will review and apply the case documents, which may include, but not be limited to emails, reports, forms, photos, correspondence, supporting information, prior verbal or written violations, notices, statements of the parties and their witnesses. The Member may provide this information before or at the hearing. Circumstantial and hearsay information may also be presented. This is neither a Legal proceeding nor a Court of Law; therefore:
 - Court procedures do not apply.
 - The Rules of Civil Procedure do not apply.
 - Rules of Evidence do not apply.
 - Discovery rules do not apply.
- The Penalty Notification Letter provided to the Member or Resident will include a copy of the case documents in the possession of the GM at the time of the Notice. The Member/Resident has the right to inspect and ask questions concerning the case documents prior to and during the Hearing.
- The role of the D&R Committee is limited to determining whether to confirm or reject the fine or suspensions levied by the Board. A majority vote is required.

D. Penalty Imposition Procedure

- If the proposed fine or suspension levied by the Board is confirmed by the Committee by a majority vote, the fine/suspension is deemed to be in effect

immediately upon the adjournment of the D&R Hearing, and the Member or Resident present at the Hearing will be so notified.

- If the proposed fine or suspension levied by the Board is rejected by the Committee by a majority or tie vote, the fine/suspension will not be imposed.
- Regardless of whether the penalty/suspension is confirmed or rejected, the D&R Committee will send written notification of the outcome of the Hearing to the Member or Resident at their designated mailing address or Member/Resident-approved email address in the Association’s official records, within 7 days of the D&R Hearing. The notification will detail the Committee decision and any applicable fines and or suspensions confirmed by the Committee, how the violation can be cured, if applicable, and the date by which any fine must be paid, which date must be at least 30 days after delivery of the Committee’s decision notification letter to the Member or Resident.
- If a violation has been cured before the hearing or in the manner specified in the written notice (Note: this is the written notice of the hearing OR the notice sent after the hearing), the fine or suspension may not be imposed. If a violation is not cured (and if the committee approves the fine or suspension), the committee must set a date by which the fine must be paid. However, the “due date” must be at least thirty (30) days after the delivery of the written notice following the hearing. Attorney fees and costs may not be awarded against an owner based on any action taken by the board before the “due date” of the fine.

Original Date: January 28, 2019
Revision Date: April 26, 2023
Board Approval: July 24, 2024
Reviewer: 2024 Rule & Policy Committee

SECTION XIX WILDLIFE CONTROL RULE

Background/History

Heritage Springs has many wetlands, ponds, and wooded areas within its boundaries. Those areas are home to many different species of wild animals. Some wildlife can endanger Members and Residents and their pets. This rule provides instructions for Members and Residents on reporting nuisance wildlife to Association Staff.

Purpose

This rule was created to give direction on nuisance wildlife reporting and removal. Florida has laws that govern treatment and protection of wildlife and part of our obligation is to conform to the Florida Fish and Wildlife Conservation Commission's programs.

Feeding wildlife can endanger household pets. Also allowing pets to run unleashed exposes them to danger from wildlife such as birds, alligators, coyotes etc. Nuisance wildlife can be a result of feeding. Without the interaction, the wildlife may have otherwise remained in their natural habitat and not become a nuisance.

Scope

All property within Heritage Springs.

Definitions

Guests

Guests include any person temporarily occupying a residence in Heritage Springs (an 'Overnight Guest') as well as any person not staying overnight in a residence in Heritage Springs but who is authorized by a Member/Resident to utilize the Association facilities. An Overnight Guest's stay will not exceed eight (8) weeks in a twelve-month period.

Members

Those persons or entities entitled to membership in the Association as provided in the Declaration.

Nuisance Wildlife

Nuisance wildlife, as defined in Florida Administrative Code (F.A.C.) 68A-9.010, refers to an animal or animals exhibiting behavior that:

- Causes (or is about to cause) property damage.

- Presents a threat to public safety and security, or causes an annoyance within, under or upon a building.

Residents

Persons who reside in Heritage Springs and are registered with the Association as non-Owner occupants for a period of greater than 8 weeks per year.

Reference/Source

- Florida Administrative Code (F.A.C.) 68A-9.010 is referenced herein.
- Rules & Regulations Section – General.

Rules

- Members, Residents and Guests must NOT feed any wildlife such as birds, deer and alligators or present them with feeding opportunities. When a Member or Resident has a complaint about threatening wildlife, they should contact the General Manager or his/her designee as soon as possible and follow up with a green sheet if needed.
- Members and Residents should not take it upon themselves to handle the wildlife with their own resources.

Original Date: January 28,2019
Revision Date: August 15, 2022
Board Approval: October 27, 2022
Reviewer: 2022 Ad-hoc Policy Committee