

TALAVERA

COMMUNITY DEVELOPMENT DISTRICT



Recreational Facilities Rules & Regulations

First Edition June 22, 2016
Consolidated Second Edition April 17, 2019

**Recreational Facilities
Rules & Regulations**

Table of Contents

General----- 1

Definitions----- 1

Conduct Code----- 2

Lease Procedures and Transfer of Privileges----- 3

Use of Community Facilities----- 3

Community Facility Rental Policies----- 6

Community Lakes----- 8

Playground Rules----- 8

Swimming Pool Facility----- 9

Tennis and Basketball Court----- 10

Violation of Rules and Regulations----- 10

Recreational Facilities Rules & Regulations

General

The Talavera Community Development District (the “District”) has adopted these Rules and Regulations for the safety and security of the District and its Members (as defined herein). The Board of Supervisors may modify these Rules and Regulations from time to time as needed.

Violations of the Rules and Regulations are subject to verbal warnings, written warnings, suspension and further actions taken as outlined in the Rules and Regulations, and deemed appropriate by the Board of Supervisors and its duly authorized representatives.

Definitions

1. All capitalized terms shall have the meanings as defined herein.
2. Adult - An individual eighteen (18) years of age, or older.
3. Amenity Access Fobs - Fobs are issued to eligible Members that meet the requirements contained in these Rules and Regulations strictly for the use of the individual to access the Recreational Facilities in accordance with the Rules and Regulations. Access Fobs are issued by a District representative or provided at the time you close on your home. Each home will be allowed two Access Fobs.
4. Annual Pass - an annual pass may be purchased by a non-resident of the District at a cost of \$2,000.00 each per household. Annual Passholders have the right to use the Community Facilities and will be subject to the same Rules and Regulations and Penalties as Residents within the District.
5. Board of Supervisors - the Board of Supervisors of the Talavera Community Development District.
6. Common Areas - All real property (including the improvements thereto) now or hereafter owned by the District for the common use.
7. Community Facilities - All areas included in the Recreational Facilities and Common Areas.
8. District Management or District Manager - Those agents and representatives of the management firm hired by the District.

9. Guest(s) - Any person who is accompanying a Member to the Community Facilities. A Member shall be responsible for all Guests within the Community Facilities. All Members shall remain with their Guests at all times. The Recreation Manager may make accommodations as necessary for unaccompanied Guests. Approvals must be received in advance and are at the discretion of the Recreation Manager.
10. Member - Shall mean Resident, Annual Passholder or Tenant.
11. Properties - Shall mean and refer to that certain real property located within the District boundaries, and such addition thereto as may hereafter be brought within the boundaries of the District.
12. Recreational Facilities- Includes the swimming pool facilities, activity center, playground, restrooms, basketball and tennis courts.
13. Recreational Staff ("Staff") - Those individuals employed by the amenities management firm hired by the District such as Recreation Manager, pool attendants, and maintenance personnel.
14. Resident - A homeowner or tenant living within the District's boundaries.
15. Rules and Regulations - Any written rules or regulations adopted, implemented or published by the District or its Board of Supervisors at any time and from time to time amended, with respect to the conduct and security of the Members and their Guests, invitees, agents and contractors within the Properties.
16. Tenant - A lessee of a dwelling within the District who has had privileges for use transferred pursuant to these Rules and Regulations.

Conduct Code

Improper conduct, obscenities, verbal or physical threats by Members and/or Guests will not be tolerated anywhere in the Community Facilities. Actions by any person of any nature, which may be dangerous, create a health or safety problem, create a hostile environment, or disturb others, are not permitted. This includes noise, intoxication, quarreling, threatening, fighting, offensive or abusive language or behavior. Members are responsible for family, Guests and their invitees.

All Members are expected to conduct themselves properly with due consideration for each other and for fellow Members, Guests and Staff. The Recreation Manager has the authority to discipline within the Rules and Regulations any person for conduct, which in their opinion tends to endanger the welfare, interest or character of the District, as well as for the violations of the specific Rules and Regulations of the District.

As stated in the Rules and Regulations, the District and/or Staff have the right to ask any person(s) to cease their conduct and/or leave the premises as a result of conduct, which serves to harass or annoy other persons using or working in the Community Facilities.

At the discretion of the Staff and District Management dealing with the situation, the assistance of the local law enforcement agency may be sought to maintain order. A copy of the official law enforcement report of the incident shall be obtained and delivered to District Management within five (5) business days.

Any person who verbally threatens the physical well-being of another person or who engages in behavior that may be dangerous, create a health or safety problem, create a hostile environment, or otherwise disturb others and cause them to fear for their physical well-being may be reported to the local law enforcement agency.

Anyone who observes a violation of these Rules and Regulations shall bring the matter to the attention of any Staff on duty or to District Management. Members are discouraged from trying to enforce the Rules and Regulations on their own.

Staff and fellow Members and Guests are to be treated in a courteous and considerate manner. No member of Staff shall be reprimanded or harassed in any way by a Member. All complaints regarding services rendered by any Staff member must be made to the Recreation Manager or District Management.

Members shall not engage or direct Staff on any private business, nor shall any Staff member be used for the individual benefit of the Member, nor shall any Member direct, supervise, or in any manner attempt to assert control over any such Staff members.

Lease Procedures and Transfer of Privileges

Any homeowner permitting a Tenant to occupy his/her dwelling must notify the Recreation Manager and/or the District Manager. All Tenants living within the District's boundaries must be listed on the Lease Agreement. Leases must contain a clause that indicates the Tenant has received a copy of all District Rules and Regulations, and agrees to be bound by them. Homeowners may transfer their privileges for use of the Community Facilities to their Tenants by completing the Assignment of Use Form. A Tenant may not transfer privileges to another person. Upon transfer of privileges to a Tenant the homeowner no longer has any privileges to use of Community Facilities until such time that the Recreation Manager and/or District Manager is notified of termination of transfer and the Amenity Access Fobs for the Tenants are returned. In the event a home is sold, the homeowner's Amenity Access Fob is to be turned in to the Recreation Manager or District Manager. The fob will be deactivated and reissued to the new home owner.

Use of Community Facilities

1. Community Facilities are for the use of Members and Guests. Recreation Staff may ask to inspect proper identification and those persons not showing it may be required to leave. **All Community Facilities are used at the risk and responsibility of the user and the user shall hold the District harmless from damage or claims by virtue of such use.**

2. Each household or Annual Passholder is allowed up to six (6) Guests at one time unless prior approval for additional Guests is given. Guests must be accompanied by a member of the household who is 18 years old or older and must obtain a guest pass from the Recreation Manager. Members 12-15 years of age may not have Guests unless they are accompanied by an Adult. Members 16-17 years of age may have one Guest.
3. Members and Guests may use the Recreational Facilities as follows:
 - a. Each household/Annual Passholder will be issued two (2) Amenity Access Fobs. These Access Fobs are for use by the fob holder only.
 - b. The Access Fob is used to access the swimming pool facility. Age restrictions apply.
 - c. When you use the Amenity Access Fob, your name and time of entry are registered.
 - d. Your Access Fob is your responsibility. If you misplace your Access Fob please contact the Staff immediately so that the Access Fob can be deactivated.
 - e. Replacement Access Fobs will be issued at a charge of \$25 per Access Fob.
 - f. Hours for the Community Facilities are posted at the entrance to the Recreation Facility.
 - g. When applying for an Amenity Access Fob, State issued identification must be presented (i.e. driver's license, birth certificate, or passport), a copy of a utility statement and or a vehicle registration showing the address. Each cardholder is required to sign an Amenity Access Agreement. Tenants must also provide a copy of their lease.
 - h. Skateboarding or use of similar equipment will not be permitted anywhere on the Community Facilities unless otherwise posted.
 - i. Shirts and shoes are to be worn in the Recreation Facilities, except the swimming pool area.
 - j. Profanity and bullying will not be tolerated.
 - k. Wet bathing suits are not allowed to be worn inside the Activity Center.
 - l. No vandalizing of Community Facilities.
 - m. Anyone under the age of fourteen (14) must be accompanied by an Adult while at the swimming pool facilities. Anyone under the age of twelve (12) must be accompanied by an Adult while at all other Recreational Facilities.

- n. Diving or flips from the deck into the swimming pool will not be allowed.
 - o. No fighting.
 - p. Except as permitted under Florida law, no firearms or weapons (as defined in Chapter 790, Florida Statutes) are permitted on the Properties.
 - q. With the exception of a community sponsored event where alcoholic beverages are permitted, Members or Guests may not bring or consume alcoholic beverages within the Community Facilities. No one under the age of twenty-one (21) is allowed to bring or consume alcoholic beverages within the Community Facilities.
 - r. Illegal drugs and paraphernalia are prohibited.
 - s. Pets (except for service animals as defined by Florida Law) will ordinarily not be allowed in the Activity Center, the swimming pool area, or other posted areas, with the exception of community events and or programs. All pets must be on a leash when on any Common Areas. Any pet waste deposited within the Community Facilities or any common area must be removed from the area by the person accompanying the pet.
 - t. Community Facilities shall be used only for the purpose for which they are designed.
 - u. Climbing gates, fences, or gaining access to the Community Facilities through non-traditional or unorthodox means is not allowed.
4. Community property may not be removed or altered from any Community Facility without written consent of the Board of Supervisors or District Manager.
 5. Nothing is to be stored or accumulated on Common Areas. No accumulation of rubbish, debris or unsightly materials will be permitted on Common Areas.
 6. No person shall commit any nuisance, vandalism, boisterous or improper behavior on or within the Community Facilities that interferes with or limits the enjoyment of the Community Facilities by Members. Anyone damaging community property or Community Facilities must reimburse the District for all costs associated with its repair or replacement. Members are responsible for damages caused by their family, Guests and invitees.
 7. In accordance with the Florida Clean Air Act, smoking is prohibited within the Community Facilities, unless it is within the designated areas established for smoking.
 8. The District has the right to close any Community Facility. Any Community Facility closed by the District shall not be used in any manner until it is reopened.

9. All instructors are independent contractors that must be approved, certified, insured and must have a contractual agreement with the District.
10. With the exception of a community sponsored events, bounce houses, waterslides and other similar temporary play structures/equipment are strictly prohibited.

Community Facility Rental Policies

Members and non-Members may reserve for rental the multi-purpose room located in the Activity Center or a Pool Facility area designated for private parties. The daily guest limits referenced in these Rules and Regulations shall not apply to guests attending a private function. Members and non-Members interested in reserving the multi-purpose room or a designated Pool Facility party area should contact the Recreation Manager or District Manager regarding the anticipated date and time of the event to determine availability. Community Facilities are not available for reservation when those facilities have been otherwise reserved for use by the District or Master Association.

1. *Available Facilities:* The multi-purpose room or designated pool party area is available for private rental for up to five (5) total hours (including set-up and post-event cleanup), at the following rates
 - ❖ Reservation by the District or the Talavera Homeowner's Association - no charge
 - ❖ Reservation by Members - \$50.00
 - ❖ Reservation by non-Members - \$100.00
 - ❖ Reservation by other governmental unit - \$50.00

No alcohol may be served at private events.

The Member or non-Member renting the multi-purpose room shall be responsible for any and all damage and expenses arising from the rental.

2. *Reservations:* Members and non-Members interested in making a reservation must submit to the Recreation Manager or District Manager a completed Use Application. At the time of submission, two (2) checks or money orders (no cash) made out to the *Talavera Community Development District* should be submitted to the Recreation Manager or District Manager. One (1) check should be in the amount of the room rental fee referenced above and the other check should be in the amount of a deposit (see subsection 4. below). The Recreation Manager will review the Use Application on a case-by-case basis and has the authority to reasonably deny a request. Denial of a request may be appealed in writing to the District's Board of Supervisors for consideration. For consideration, all written appeals should be delivered to the District Manager.
3. *Staffing:* When Staff is required at a private event, Members shall be required to pay for the Staff at a rate to be determined by the Recreation Manager or District Manager.

4. *Deposit:* As stated above, private rental of the multi-purpose room or designated pool party area requires a deposit according to the following schedule at the time the reservation is approved:

- Reservation by the District or the Talavera Master Association - no deposit required
- Reservation by Members - \$200.00 for multi-purpose room and \$100.00 for designated Pool Facility area
- Reservation by non-Members - \$300.00 and \$200.00 for designated Pool Facility area
- Reservation by other governmental unit - \$100.00

To receive a full refund of the deposit, and to avoid cleaning charges following a private rental, the following must be completed:

- a. Ensure that all garbage is removed from the premises.
- b. Remove all displays, favors or remnants of the event.
- c. Restore the furniture and other items to their original position.
- d. Wipe off table tops, etc.
- e. Ensure that no property has been removed from the Activity Center.
- f. Ensure that no damage has occurred to the multi-purpose room and/or any property in the multi-purpose room.

The Recreation Manager or District Manager shall determine the amount of deposit to return, if any. Deposit checks will be returned only to the individual who completed the Use Application or to a party designated by such individual at the time of submittal of the Use Application.

5. *Adherence to Rules and Regulations.* Members or non-Members, as the case may be, and their Guests are required to adhere to all Rules and Regulations. Failure to comply with such Rules and Regulations may result in the forfeiture of the deposit.

6. *Additional Cleaning.* If additional cleaning of rented facilities is required, the Member reserving the facility will be liable for any expenses incurred by the District to hire an outside cleaning contractor. In light of the foregoing, Members may opt to pay for the actual cost of cleaning by a professional cleaning service hired by the District.

7. *General Policies:*

- a. No decorations may be affixed to the walls, doors or any fixtures.
- b. The volume of live or recorded music must not violate applicable Pasco County noise ordinances.
- c. Event Liability coverage may be required on a case by case basis in the sole discretion of the Board of Supervisors.
- d. Maximum number of guests for the multi-purpose room is 23.

Private parties held at the Pool Facilities:

- a. All parties shall be limited to the area of the Pool Facility designated by the Recreation Manager or District Manager and shall not include the splash pad.
- b. All parties must be booked in advance through the District Manager.
- c. The party is limited to 4 tables with a maximum of 20 people.
- d. For every 5 children between 2 - 6 years old, at least one adult must be present.
- e. All paper goods (decorations, plates, cups, etc.) must be removed at the end of the party.
- f. The area used for the party must be sprayed down with the garden hose (if available) to clean up any crumbs or spillage.
- g. All food and gift wrap must be kept away from the pool.
- h. Tables must be wiped down thoroughly at the end of the party.
- i. No balloons, silly string or other messy party favors are permitted.
- j. All trash is to be placed in trash can provided by the Recreation Manager.

Community Lakes

1. Swimming is not permitted in any of the stormwater ponds within the District.
2. The operation of motorized watercraft upon the stormwater ponds within the District is prohibited. This shall not apply to operation of motorized watercraft by an agent of the District while acting within the scope of his/her duties.
3. Fishing in stormwater ponds is prohibited unless designated otherwise. Designated fishing areas may be determined by the District's environmental permits. Fishing behind a home other than your own is not allowed. Look for signage indicating a designated common area fishing site. Fishing shall be catch and release only.

Playground Rules (the "Park")

1. Park hours are from 8:00 AM till dusk.
2. The play structures are designed for children under the age of twelve (12).
3. Children under the age of twelve (12) must be supervised by an Adult at all times.
4. No glass containers are allowed in area.
5. Alcoholic beverages are not allowed in the Park.
6. Use of profanity and/or disruptive behavior will not be tolerated.
7. Report violators, damaged equipment and unsafe conditions to the Recreation Manager or District Manager.
8. Call 911 in the event of an emergency and inform the Recreation Manager and District Manager.

9. The Park is equipped with closed-circuit surveillance cameras.

Swimming Pool Facility (the “Pool Facilities”)

1. The Pool Facilities are open from 7:00 am until dusk.
2. Amenity Access Fobs or photo ID must be readily available to Staff when using the Pool Facilities.
3. Lifeguards will not be present at the Pool Facilities. All persons using the Pool Facilities do so at their own risk.
4. Children under the age of fourteen (14) must be accompanied by an Adult at all times while using the Pool Facilities.
5. All persons using the Pool Facilities shall obey the capacity requirements posted, which are defined by Pasco County and the State of Florida.
6. Proper swimming attire must be worn while using the Pool Facilities. (Bathing suits only) No thong swimwear is permitted at the Pool Facilities.
7. No smoking, vaping or use of drugs is allowed in or at the Pool Facilities.
8. No diving is allowed.
9. Incontinent persons, including children who are not toilet-trained, must wear swim diapers or other protective pants designed for use in a swimming environment when using the pool.
10. No floatation devices are permitted in the pool, except for swim aids and water aerobic equipment.
11. No running or rough housing is allowed in the swimming Pool Facilities.
12. No animals with the exception of qualified service animals are allowed within the Pool Facilities. Service animals must be registered with the District.
13. Alcohol is prohibited at the Pool Facilities.
14. No glass containers of any kind are allowed in the Pool Facilities.
15. Radios and/or “boom boxes” may not be played at the pool. All portable electronic devices are allowed if headphones are used.
16. Food and beverages are prohibited in the pool and on the pool wet deck area per Florida Statute.

17. No profanity and/or disruptive behavior, loud noise, running, jumping, diving, flips or boisterous activity is permitted in the Pool Facilities.
18. Pool furniture shall not be removed from the pool deck area or placed into the swimming pool.
19. Items left in the Pool Facility will be kept in Lost & Found for a period of one (1) week. If the item(s) are not claimed, the item(s) will be discarded.
20. Any person swimming after the Pool Facilities are closed may be suspended from the Pool Facilities for the remainder of the year and is subject to trespassing charges.
21. Call 911 in the event of an emergency.
22. The Pool Facilities will be closed during electrical storms or when rain makes it difficult to see any part of the pool or pool bottom clearly. The pool will be closed at the first sound of thunder or sighting of lightning and will remain closed for thirty (30) minutes after the last sighting. Everyone must leave the pool deck immediately upon hearing thunder or sighting lightning, or when instructed to do so by Staff.

Tennis and Basketball Court

1. Play is on a first come, first serve basis unless an event has been planned using these areas.
2. Proper tennis attire is required while on the courts, such as; sportswear and tennis shoes/sneakers.
3. Profanity and/or disruptive behavior are not permitted.
4. No rollerblades, skateboards, bicycles, children's motorized vehicles or similar equipment are allowed on the tennis or basketball courts.
5. Glass containers are not allowed in the tennis or basketball court areas.
6. Portable radios and/or "boom boxes" are not allowed in the tennis or basketball areas. All portable electronic devices are allowed if headphones are used.
7. No pets, except for service animals are allowed on the basketball or tennis courts.

Violation of Rules and Regulations

All persons using or entering the Community Facilities are responsible for compliance

with, and shall comply with, the Rules and Regulations established for the safe operations of the Community Facilities.

1. *Suspension of Rights.* The District, through its Board of Supervisors, District Manager, and Recreation Manager, shall have the right to restrict, suspend, or terminate the privileges of any person to use the Community Facilities for any of the following behavior:
 - a. Submits false information on any application for use of the Community Facilities;
 - b. Permits the unauthorized use of an Amenity Access Fob;
 - c. Exhibits unsatisfactory behavior or appearance;
 - d. Fails to pay amounts owed to the District in a proper and timely manner;
 - e. Fails to abide by any District Rule or Regulation contained herein;
 - f. Treats the District's supervisors, Staff, contractors, or other representatives, or other Member or Guests, in an unreasonable or abusive manner;
 - g. Damages or destroys District property; or
 - h. Engages in conduct that is improper or likely to endanger the health, safety, or welfare of the District, or its supervisors, Staff, contractors, or other representatives, or other Members or Guests.
2. *Authority of Recreation Manager.* The Recreation Manager or his or her designee has the ability to remove any person from one or all Community Facilities if any of the above-referenced behaviors are exhibited or actions committed. The Recreation Manager or their designee may at any time restrict or suspend for cause or causes, including but not limited to those described above, any person's privileges to use any or all of the Community Facilities for a period not to exceed seven days.
3. *Authority of District Manager.* The District Manager may at any time restrict, suspend or terminate for cause or causes, including but not limited to those described above, any person's privileges to use any or all of the Community Facilities for a period greater than seven days. Any such person will have the right to appeal the imposition of the restriction, suspension or termination before the Board of Supervisors. For consideration, all written appeals should be delivered to the District Manager.
4. *Legal Action; Criminal Prosecution.* If any person is found to have committed any of the infractions noted in Section 1 above, such person may additionally be subject to arrest for trespassing or other applicable legal action, civil or criminal in nature.