

# THE JOCKEY CLUB OF NORTH PORT POA, INC.

## COMMON FACILITIES RULES

November 2023

### Section I. Preamble and Definitions

Pursuant to authority granted by Article Nine (IX) of the bylaws of the Jockey Club of North Port Property Owners' Association, Inc. the Board of Directors of said Corporation hereby adopts the following rules and regulations governing use of common properties and facilities in serviceable condition, to maintain high standards of hygiene and sanitary conditions, and to generally provide for the common benefit and enjoyment of persons using the same. Except where the context clearly indicates otherwise, the following terms shall have the following meanings when used in these rules and regulations:

- A. **Member.** Any person who is a record owner of a living unit which is subject to the covenants of record to assessments by the Jockey Club of North Port Property Owners' Association Inc.
- B. **Qualified Tenant.** Any person residing within the Jockey Club under the provisions of a binding lease.
- C. **Qualified Guest.** Any person residing with a member or qualified tenant within the Jockey Club on a temporary, short-term basis (less than 30 days). Relatives may use the pool when accompanied by the POA member irrespective of their place of residence.
- D. **Non Resident Member.** A member as defined above who does not make his or her permanent residence within the Jockey Club.
- E. **Adult.** Any person who has attained the age of eighteen.
- F. **Teenager.** Any person who has attained the age of thirteen but is not yet eighteen.
- G. **Child.** Any person under the age of thirteen.
- H. **Common Facilities.** The swimming pool and clubhouse structure located upon the Tract 'H' Fifty-Second Addition to Port Charlotte Subdivision, together with all appurtenances thereto and fixtures thereon.

### Section II. Rules relating to Registration

- A. **Registration Required.** No person shall be permitted to enter upon or to use the Common Facilities as herein defined unless such person shall be registered with the Association.
- B. **Nature of Registration.** Registration shall entail the recording upon the appropriate records of the Association the names and places of residence of each person entitled to use the common facilities as provided hereunder, together with the recording of the ages of any such person under the age of eighteen. As evidence of registration, the Association shall issue a photo identification tag or device to each registrant eighteen years of age or older. This ID device shall be with the person when using the Club Facilities. Children and teenagers shall prove their identity by producing their parents' identification card. This identification card may

be cross checked against the owners' database to confirm eligibility to use the Common Facilities.

**C. Persons entitled to register and the cost.** The following persons shall be entitled to register under the requirements as set forth herein:

1. **Resident Members** and each and every member of the household of the resident member, provided that the records of the Association reflect that status of such person as a member as defined herein. (refer to section I). There will be no charge for the original photo ID; there will be a charge based on costs, for replacement of a lost or damaged ID.
2. **Qualified Tenants** and each and every member of a qualified tenant's family provided that such person registers at the Association office and provides a copy of their rental agreement with the landlord. The colour of the ID for qualified tenants shall be different from that of a resident member. The registration is then sent from the Association office to the owner of record to confirm granting of full use of the Common Facilities:
  - A. For tenants and their families with leases of one year — the photo ID will be valid for the length of the lease up to 1 year from the date of issue. Cost \$20 per person or \$30 per family. A new, dated ID must be purchased annually at the maturity date of the ID.
3. **Qualified Guests** of resident members or qualified tenants provided such a person provides to the Association a letter of identification from the resident/tenant or is personally identified by them. Children or teenagers are not allowed guests unless accompanied by an adult resident member or qualified tenant.
  - A. **Facility Use by Qualified Guests**— guests age 13 and up wishing to use the pool, shuffleboard, tennis and basketball courts will be charged a non-refundable use fee of \$2 per day per person or \$10 per week per person to help defray the cost of servicing and maintaining the Common Facilities. There will be no charge for children age 12 and under when accompanied by a homeowner or paying guest 18 years of age or older. There shall be a limit of four (4) guests per household at any one time.
4. **Facility Use by Non-resident members** —is authorized provided that such evidence as is required for resident members appears on the record of the Association and provided that such non-resident members have been issued an identification card. Such non-resident members and members of their households who are duly registered according to these rules shall be permitted to use the Common Facilities on a conditional basis. When the Jockey Club property of such non-resident member is occupied by a qualified tenant with a Jockey Club ID, the non-resident member must decide in writing to retain his/her right to use the Common Properties or convey that right to his/her qualified tenant. The use of the Common Properties is authorized to either the non-member resident or his/her qualified tenant, not both.
5. One pool gate access card shall be issued per Jockey Club address. Initial issue is no cost. Replacement cards are available at the Clubhouse at a cost of \$20.00. The Jockey Club reserves the right to cancel pool gate cards at any time.

### **SECTION III. Rules Relating to the Use and Operation of Common Facilities.**

**A. General.** All persons making use of the Common Facilities must present themselves to the Clubhouse office, show their identification card and sign in. Members/tenants without identification cards will be denied entry. Persons entering via the pool gate must also show their identification and sign in. A member with identification is allowed to sign in those members of his/her family that have not been issued identification. Teenagers shall present themselves to the Clubhouse office and state their name and

address, in addition to presenting their parent's ID card. The office staff shall verify same through the master registry. Upon confirmation of identity, teenagers shall also sign in. If identity is not confirmed, access shall be denied.

**B. Pool.** At no time shall the pool or pool area be made available to those attending non-association sponsored events. It shall be considered "off-limits" and violations could result in the group being asked to leave the premises

**C. Proper Attire Required.** All persons using or entering upon the Common Facilities shall be properly attired. Shirts and shoes will be worn at all times within the Clubhouse. Bathing attire is permitted in the pool area. Bathing attire shall not be allowed in the Clubhouse with the exception of the hallway and the restrooms. Nudity, revealing or suggestive bathing attire worn anywhere in the Common Facilities shall not be permitted.

**D. Parking.** No vehicle shall be parked in any place other than the marked parking spaces in the clubhouse parking lot. Overflow parking is allowed in the field on both sides of the blacktop walkway. All bicycles shall be parked in or adjacent to the bicycle rack. The portico directly in front of the clubhouse shall not be used for parking and shall be reserved exclusively for deliveries and for the convenience of handicapped persons.

**E. Use of the Bulletin Board.** The bulletin board located in the Clubhouse shall be available for the use of all members and qualified tenants residing in the Jockey Club, subject to the following provisions:

1. Announcements and matters of Association business shall have preference for space on the bulletin board.
2. Personal notices, advertisements, and other matters shall be limited to a paper or card no larger than four inches by six inches in dimension, and approved by the office staff or a member of the Board. Each notice must bear the date of posting and each such notice will be removed from the bulletin board thirty days after such date of posting. Any such notice not bearing a date of posting will be removed immediately.
3. Members or guests may not remove posted notices or documents without permission of the office staff.
4. The bulletin board shall not be used as a medium for political purposes or to air grievances. A separate bulletin board is available for advertising on a limited scale.

**F. Conduct.** Profanity, mischief, improper conduct or creating a disturbance will not be tolerated at any time. If profanity, mischief or improper conduct continues after the first warning, the violator will be asked to leave the premises. If he or she refuses to leave, the North Port Police will be notified of the trespass. In enforcing the trespass, the Club may seek a no-trespass sanction through the North Port Police department. See Article V.

**G. Accessibility.** The Clubhouse has three handicapped parking spaces. The Clubhouse has handicapped access through the front door and the door to the pool area. The pool gate is wheel chair accessible, but assistance is required in opening the gate. There are no facilities to support handicapped access to the pool or washrooms.

**H. Smoking.** Smoking is not permitted anywhere on the grounds of the Jockey Club.

**I. Use of the Facility.** The Great Room and Kitchen can be rented for functions. In addition, rental of the open spaces and courts for outdoor activities is also possible. A Common Property Use Request can be obtained from the Jockey Club office. Fees for rental of facilities can apply.

#### **IV. Rules Relating to the Use of Particular Facilities**

The Jockey Club grounds, including the parking lot, the recreation hall and all equipment should be used with care and consideration for other members and guests. If any activity endangers the safety of the violator or others, a verbal warning will be given. Failure to obey this verbal warning may result in a suspension of privileges and/or police action for trespass. The following rules apply to specific activities:

**A. Use of Great Room for Recreation Purposes.** No persons under thirteen years of age shall use the Great Room unless supervised by an adult. The supervising adult(s) shall be responsible for the furniture and equipment.

**B. Use of Shuffleboard/Corn Hole, Tennis and Basketball Courts.**

1. No persons under 13 years of age shall use the shuffleboard/corn hole court without adult supervision.
2. No persons under the age of 13 years shall use the tennis court without adult supervision.
3. Those using the basketball court are asked to maintain discipline and order and refrain from using profanity. Trash should be disposed of properly. No hanging on the basketball rim or otherwise causing destruction. Anyone using the basketball court and abusing this privilege may be asked to leave the premises.
4. The tennis and basketball courts are to be used for their intended purpose only. The rules governing their use are posted outside of each court. Persons in violation of the rules could be asked to leave.

**C. Swimming Pool.** The Swimming Pool is for the use and enjoyment of Jockey Club members and their guests. The office staff and/or Board of Directors has the right to limit the number of guests allowed per member at any one time in for the benefit of all. Guests must register with the office and be wearing appropriate swimming attire. The swimming pool is subject to the following rules.

1. All persons using the pool shall shower before entering the pool to remove any tanning lotion or oils. No tanning lotion or oils shall be worn in or introduced into the swimming pool although the use of 'sunscreens' shall be permitted.
2. Bathing attire must be worn by anyone using the pool. No cut-offs or other street clothes shall be permitted. Infants in diapers or disposable diapers must wear rubber pants under proper swimwear. Special disposable swim pants are encouraged. Revealing or suggestive bathing attire shall not be permitted.
3. For the safety of all persons using the pool, no swim fins, rafts or other swimming devices shall be permitted in the swimming pool, although diving masks and safety devices for small children are permissible.
4. Food (snacks) and beverages may be consumed in the pool at the pool tables only or in the Great Room. Alcohol is not permitted. Food other than snacks may be consumed in the Great Room or grassy areas adjacent to the Jockey Club. Food/beverages shall be introduced in paper, aluminum, or plastic containers and users shall properly dispose of trash and recyclables when

they depart. For special functions, the Board may allow the consumption of alcohol. Conditions will apply

5. Running, diving, playing tag, playing ball and other games shall not be permitted in the pool area. Required pool safety equipment, such as life rings, hooks, safety lines, divider rope, etc., shall not be disturbed, used or played with, as these are for emergency purposes only.

6. There is no lifeguard. All use of the pool area is at the risk of the individual. No one under the age of thirteen shall use the pool unless supervised by an adult.

7. In the event that the number of persons in the pool exceeds the number approved by County health authorities (40 persons), the Office staff, or preferably, a member of the Board of Directors shall ask persons to leave based on the following:

- a. those members/qualified tenants who have been using the pool for the longest period of time;
- b. those members/qualified tenants with guests;
- c. unaccompanied children of members/qualified tenants.

8. All the above rules and regulations shall be in addition to the rules and regulations promulgated by the public authorities for health and safety, whether said rules are incorporated herein or not. The Association or its authorized agents may limit the number of people in the pool and eject from the pool area or restrict the usage of any person not conforming with these rules or in any other manner endangering the safety and welfare of other users of the pool.

**D. Library.** The library has a small collection of books that can be signed out by members using the honor system.

**E. Great Room.** The Great Room is used for Board and Annual Meetings. It is also used for recreation events and can be and is booked by external users particularly during the evenings. Members may book the Great Room for a fee by completing a Facility Use Request and receiving Board approval. Members wishing to escape the heat of the day and have a snack, may use the tables and chairs in the Great Room. Members are responsible to clean up after themselves and properly dispose of their trash and recyclables.

**K. Kitchen.** The kitchen is adjacent to the Great Room and may not be used by members, qualified tenants or guests unless authorized by the Board of Directors.

**L. Washrooms.** The washrooms service both the pool and the Clubhouse. Children six years of age and under must be accompanied by an adult when using the washroom. A diaper change area is provided in both the Men's and Women's washroom. During Clubhouse operating hours, the washrooms shall be accessible to both. Florida Health Regulations state that washroom facilities must be made available when the pool is in use. Pool operating hours shall be set by the Board of Directors. Should the washrooms have to be closed for any reason, the pool will also close. During Clubhouse functions outside of operating hours, the washrooms will normally be accessible inside the Clubhouse only. The President/Vice President of the Board may decide otherwise on a case by case basis.

## **V Rules Relating to Enforcement and Emergency Regulations**

**A. Enforcement of Rules and Regulations.** Except where action of the Directors of the Association is specifically required, as with requests for private use of the Club Facilities, administration and

enforcement of all rules and regulations of the Association may be performed by the Association, its Directors, its agents and employees, whether said agents and employees are members of the Association or not.

- B. Emergency Rules and Regulations.** In addition to the rules and regulations herein promulgated, the Directors of the Association may promulgate and declare effective immediately any rule or regulation which the Directors deem necessary to promote the benefit and enjoyment of the membership or maintain the established health and safety, regulations applicable to the Common Facilities. The rule or regulations shall be binding upon all users of the Common Facilities immediately upon the posting of the said rule or regulation on the Clubhouse bulletin board.
- C. All Persons Bound.** All resident members, non-resident members, qualified tenants, and qualified guests are held to have knowledge of these rules and regulations. Requests for interpretation or explanation of any rule or regulation contained herein may be submitted in writing to the Directors of the Association, and shall be acted upon as soon as reasonably possible.
- D. Suspensions.** Persons violating any of the afore mentioned rules shall be subject to suspension , for a minimum of thirty (30) days to a maximum of ninety (90) days, from the Jockey Club Facilities at the discretion of the Directors. **Any person other than authorized personnel in or on club Facilities after the Club is closed shall be considered to be trespassing and will be prosecuted.**
- E. Waiver.** The waiver or breach of any term, covenant, or condition of these Common Facility Rules shall not be deemed a waiver of any other term or succeeding breach of these Rule.
- F. Indemnification.** Members, qualified tenants and their guests shall indemnify and hold harmless the Association against any expense, loss or liability whether claimed or paid, suffered or incurred as a result of the member's use or occupancy of the Jockey Club or its' Common Property or the carelessness, negligence or improper conduct of member/qualified tenant, his guests, visitors or invitees. Members/qualified tenants may be required to reimburse the Association for any damages, costs, fees, fines or penalties by reason of any act, in action, negligence or gross negligence of the member/qualified tenant, his visitors or invitees.
- G. Appeals.** Suspensions may be appealed to the Board of Directors.