

**The Preserve at South Branch Community Development District**  
**Policy Relating to Use of CDD Common Areas and Community Facilities**

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In accordance with Chapter 190, *Florida Statutes*, and on November 7, 2023, at a duly noticed public meeting, the Board of Supervisors of the Preserve at South Branch Community Development District (the “District”) adopted the following policy inform residents of the rules and policies regarding the usage of District property. This policy repeals and supersedes all prior rules and/or policies governing the same subject matter.

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**SECTION 1. INTRODUCTION.** The District finds that there is a need to define and inform residents of the rules and policies regarding the usage of District property in order to maintain the health, safety and welfare of District residents and the public. This Policy designates the District Property as indicated on **Exhibit A** attached.

**SECTION 2. DEFINITIONS.**

- A. *Common Areas.* All real property (including the improvements thereto) now or hereafter owned by the District for the common use, as indicated on **Exhibit A**.
- B. *Community Facilities.* The properties and areas owned by the District and intended for recreational use and which include, but are not specifically limited to, the dog park, the basketball courts, and the parks, together with their appurtenant facilities and areas, as indicated on **Exhibit A**.
- C. *Community Facilities Policy.* This Policy of the District.
- D. *Guest.* Any person or persons who are invited by a Resident to participate in the use of the Community Facilities.
- E. *Resident.* Any person or persons legally residing in a home within the District.

**SECTION 3. CODE OF CONDUCT.** Improper conduct, obscenities, verbal or physical threats by Residents and/or Guests will not be tolerated anywhere on Common Areas or in the Community Facilities. Actions by any person which may be dangerous, create a health or safety concern, create a hostile environment, or disturb others, are not permitted. This includes, but is not limited to, intoxication, quarreling, threatening, fighting and offensive/abusive language or behavior. Residents are also responsible for Guests and their conduct while on District property.

All Residents are expected to conduct themselves properly with due consideration for each other as well as District staff. The District Manager or her/his designee has the authority to discipline any person for misconduct, which in their judgment directly violates the specific provisions within this Policy. The District Manager or her/his designee have the right to ask any person(s) to leave the premises as a result of misconduct. At the discretion of the District Manager

or her/his designee dealing with the violation of the Policy, the assistance of the local law enforcement agency may be sought to maintain order.

Any person who observes a violation of this Policy shall bring the matter to the attention of the District Manager or her/his designee. Residents are discouraged from trying to enforce this Policy on their own.

No Resident shall direct, supervise, or in any manner attempt to assert any control over the District staff or vendors hired by the District.

#### **SECTION 4. COMMUNITY FACILITIES.**

##### **A. GENERAL RULES.**

1. The Community Facilities are for the use of the Residents and their Guests. Any Guest must be accompanied by a Resident when using the Community Facilities.
2. Each household is permitted to bring up to two (2) Guests per day to the Common Areas and Community Facilities. Any additional Guests will have to obtain a day pass.
3. The Common Areas and Community Facilities are open daily from dawn to dusk unless posted otherwise to the entrance of each Community Facility. If posted, the posted hours control over the general dawn to dusk hours. Pasco County curfew laws supersede this Policy.
4. Shirts, bottoms, and shoes are to be worn in the Community Facilities.
5. Anyone under the age of twelve (12) must be supervised by an adult while using the Community Facilities. Parents may authorize babysitters to have Guest privileges and minor oversight.
6. No fighting.
7. Except as permitted under Florida law, no firearms or weapons (as defined in Chapter 790, *Florida Statutes*) are permitted.
8. Illegal drugs and paraphernalia are prohibited.
9. Smoking and the use of electronic smoking devices are not permitted at the Common Areas or Community Facilities.
10. Any parking for the use of the Community Facilities must be in designated parking areas. Vehicles parked in any area where parking is not permitted shall be subject to towing at the expense of the vehicle's owner. The parking areas at the Common Areas and Community Facilities are for the use of the Common Areas and Community Facilities, and no overnight or long-term parking is allowed in these parking areas.

11. Climbing gates, fences, or gaining access to the Community Facilities through non-traditional means is prohibited.
12. Furnishings and items may not be removed from any Community Facility or the Common Areas without written consent by the District Manager or her/his designee.
13. Nothing is to be stored or accumulated in Common Areas or Community Facilities. Any rubbish, debris or garbage must be disposed of, and fit properly within, in a proper receptacle (i.e. cake boxes or deli platters will not fit within the garbage bins). Any items brought to a Common Area or Community Facility must be removed.
14. All pets must be on a leash and under owner control when using the Common Areas or Community Facilities. All pet waste must be completely picked up, removed, and disposed of in a proper receptacle.
15. Personal listening devices with headphones are permissible. Portable radios, portable electronic devices without the use of headphones, and other speakers are to be kept at a reasonable volume in order to not disturb others or be a nuisance to other Residents and Guests. Amplified sound systems and those from a vehicle are not permitted during use of the Common Areas or Community Facilities.
16. Personal and portable grills are not allowed within the Common Areas, Community Facilities or on District property.
17. Use of fireworks are not permitted anywhere within the Common Areas, Community Facilities or on District property.
18. No fishing or swimming or boating is permitted.
19. Anyone who damages or vandalizes the Common Areas or Community Facilities must reimburse the District for all costs associated with its repair and replacement. Residents are responsible for damages caused by their household and Guests.
20. The District Manager or her/his designee has the right to close any Common Area or Community Facility, which may not be used in any manner until reopened by the District Manager or her/his designee.
21. All Common Areas and 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.

B. RESERVATIONS AND RENTALS.

1. Specific portions of Community Facilities may be reserved, and reservations and scheduling shall be made by the District Manager or her/his designee.
2. Proof of adequate insurance coverage, appropriate licenses, and execution of an Indemnification Agreement of the District may be required for use of Community Facilities.
3. Fees are charged for renting some portions of the Community Facilities.

C. PARKS.

1. Parks open at dawn and close at dusk unless posted otherwise.
2. Glass containers are prohibited.
3. Skateboards, scooters, roller blades, skates, bicycles, golf carts, all-terrain vehicles ("ATVs") or other wheeled equipment are not permitted on non-paved surfaces.
4. Use is on a first come, first served basis unless an event has been planned using the specific park.
5. Play structures are designed for children under the age of twelve (12). Any child on a play structure must be supervised by an adult.
6. Removal of tables, benches, and grills from the area is prohibited.
7. Residents and Guests must clean up after themselves and dispose of trash in the appropriate receptacles. No overflowing trash bins are permitted.
8. Use of the grill is allowed by adults only. The grill must be cleaned after each and every use.

D. DOG PARK.

1. Owners are responsible and liable for the actions and behavior of their dog(s) at all times.
2. All dogs must be licensed and current on vaccinations.
3. Owners must keep dogs in sight and under voice control at all times.
4. Only friendly and non-aggressive dogs are permitted in the dog park. If a dog becomes unruly or plays rough, it must be leashed immediately.
5. Owners must use caution when bringing toys, balls, or other playing objects, as this may solicit protective and territorial behavior which may result in fighting.
6. Owners must pick up and dispose of waste in appropriate receptacles.

7. Use is on a first come, first served basis unless an event has been planned using the dog park.

E. BASKETBALL COURT.

1. Proper attire is required while on the basketball court.

2. Glass containers are prohibited on the basketball court.

3. Alcohol is prohibited on the basketball court.

4. No animals (except for service animals as defined by Florida law) are allowed on the basketball court.

5. Skateboards, scooters, roller blades, skates, bicycles, golf carts, ATVs or other wheeled equipment are not permitted on the basketball court.

6. Hanging from the basketball rim(s) is not permitted.

7. Play is on a first come, first served basis unless an event has been planned using the basketball court.

**SECTION 6. LOSS OR DESTRUCTION OF PROPERTY.** All Common Areas and 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.

Each Resident and Guests assumes sole responsibility for his or her property. The District shall not be responsible for the loss or damage to any private property used in the Common Areas or Community Facilities.

Each Resident and Guest shall be liable for any property damage and/or personal injury in the Common Areas and Community Facilities, which is caused by the Resident or Guest. The District reserves the right to pursue any and all legal and equitable measures necessary to remedy any losses it suffers due to property damage or personal injury by a Resident or Guest.

**SECTION 7. RIGHT TO AMEND.** This Policy may be amended as necessary by the Board of Supervisors, and in accordance with Chapter 190, *Florida Statutes*.

# CDD Common Area Map

To be updated with District Engineer Map when it becomes available

INTERIM EXHIBIT A

to The Preserve at South Branch Community Development District

Use of Common Areas and Community Facilities Policy

