

**AMELIA CONCOURSE
COMMUNITY DEVELOPMENT DISTRICT**

**Policies and Rates Regarding Use of the District's
Amenity Center**

(Board Approved May 13, 2010)

In accordance with Chapters 190 and 120, Florida Statutes, and on May 13, 2010, at a duly noticed public meeting and after a duly noticed public hearing, the Board of Supervisors of the Amelia Concourse Community Development District adopted the rates and the rules governing the rates set forth herein

USER FEE STRUCTURE

- (1) The annual user fee for an individual not owning property within the District is \$ **1,800.00**. The annual user fee for a non-owner is valid for a maximum of two (2) adults and their dependents, if any.
- (2) One Facility Access Key will be issued to each family owning property within the District and non-resident fee-paying families. There is a \$ **25.00** charge to replace lost keys. Replacement keys may be obtained through First Coast CMS, Phone (904) 537-9034 or e-mail tony@firstcoastcms.com.
- (3) All Guests must be accompanied by a Patron (as defined below) at all times. Patrons are limited to a maximum of five (5) guests at a time.
- (4) The person making a fee payment where a check is returned due to insufficient funds will be liable for a \$50.00 Returned Check/Insufficient Funds fee.

GENERAL PROVISIONS

- (1) District property owners and non-resident fee payers ("Patrons") must present their access cards and register upon entering the Amelia Concourse Amenity Center ("Amenity Center").
- (2) Children under fourteen (14) years of age must be accompanied by a parent or authorized person eighteen (18) years old or older.
- (3) The Amenity Center's hours of operation will be 5:00 a.m. to 10:00 p.m., or as otherwise established and published by the District from time to time.
- (4) Alcoholic beverages shall not be served or sold, nor permitted to be consumed on the Amenity Center's premises, except at pre-approved special events. Approval may only be granted by the District's Board of Supervisors (present request to Amenity Manager in at least 48 hours in advance of the meeting) and will be contingent upon providing proof of event insurance with the District named an additional insured.
- (5) Dogs or other pets (with the exception of service animals, such as "Seeing Eye Dogs") are not permitted at the Amenity Center facilities or grounds. Where dogs are permitted on the grounds, they must be leashed at all times.
- (6) Vehicles must be parked in designated areas. Vehicles may not be parked on grass lawns, or in any way which blocks the normal flow of traffic.
- (7) Fireworks of any kind are not permitted anywhere on the facilities or adjacent areas.
- (8) No Patron, visitor or guest is allowed in the service areas of the facility.
- (9) With the exception of the rates and the rules governing the rates, the Board of Supervisors reserves the right to amend or modify these policies without a public hearing when necessary and will notify the Patrons of any changes.

- (10) The Board of Supervisors and personnel of the Amenity Center have full authority to enforce these rules and regulations.
- (11) Facility Access Keys will be issued to Patrons at the time they become entitled to use the facilities. All Patrons must use their key for entrance to the Amenity Center. All lost or stolen keys should be reported immediately to First Coast CMS, Phone (904) 537-9034 or e-mail tony@firstcoastcms.com.
- (12) Smoking is not permitted anywhere in the Amenity Center.
- (13) Guests must be registered and accompanied by a Patron before entering the Amenity Center.
- (14) Disregard for any Amenity Center rules or policies may result in expulsion from the facility and/or loss of Amenity Center privileges.
- (15) Glass and other breakable items are not permitted at the Amenity Center.
- (16) Patrons and their guests shall treat any staff members and other Patrons with courtesy and respect.

LOSS OR DESTRUCTION OF PROPERTY OR INSTANCES OF PERSONAL INJURY

Each Patron and each guest as a condition of invitation to the premises of the Amenity Center assume sole responsibility for his or her property. The District and its contractors shall not be responsible for the loss of damage to any private property used or stored on the premises of the Amenity Center, whether in lockers or elsewhere.

No person shall remove from the room in which it is placed or from the Amenity Center's premises any property or furniture belonging to the District or its contractors without proper authorization. Amenity Center Patrons shall be liable for any property damage and/or personal injury at the Amenity Center, or at any activity or function operated, organized, arranged or sponsored by the District or its contractors, caused by the patron, any guests or any family members. The District reserves the right to pursue any and all legal and equitable measures necessary to remedy any losses due to property damage or personal injury.

Any Patron, guest or other person who, in any manner, makes use of or accepts the use of any apparatus, appliance, facility, privilege or service whatsoever owned, leased or operated by the District or its contractors, or who engages in any contest game, function, exercise, competition or other activity operated, organized, arranged or sponsored by the District, either on or off the Amenity Center's premises, shall do so at his or her own risk, and shall hold the Amenity Center, the District, the Board of Supervisors, District employees, District representatives, District contractors, and District agents harmless for any and all loss, cost, claim, injury damage or liability sustained or incurred by him or her, resulting therefrom and/or from any act of omission of the, the District, or their respective operators, Supervisors, employees, representatives, contractors, or agents. Any Patron shall have, owe, and perform the same obligation to the Amenity Center or District and their respective operators, Supervisors, employees, representative, contractors, and agents hereunder in respect to any loss, cost, claim, injury, damage or liability sustained or incurred by any guest or family member of such Patron.

Should any party bound by these District Policies bring suit against the District or its affiliates, Amenity Center operator, officers, employees, representatives, contractors or agents in connection with any event operated, organized, arranged or sponsored by the District or any other claim or matter in connection with any event operated, organized, arranged or sponsored by the District, and fail to obtain judgment therein against the District or its Amenity Center operator, officers, employee, representative, contractor or agent, said party shall be liable to the District for all costs and expenses incurred by it in the defense of such suit (including court costs and attorney's fees through all appellate proceedings).

GENERAL SWIMMING POOL RULES

- (1) At any given time, a Patron may accompany up to five (5) guests at the swimming pool. Patrons and their guests are limited to a maximum of two (2) vehicles at the Amenity Center.
- (2) Patrons swim at their own risk. Lifeguards are not on duty.
- (3) Children fourteen (14) years of age and younger must be accompanied by an adult at least eighteen (18) years of age at all times for usage of the pool facility.
- (4) Radios, televisions, and the like may be listened to if played at a volume that is not offensive to other members and guests. Electrical equipment is not allowed around the pool facility.
- (5) Swimming is permitted only during designated hours, as posted at the pool. Hours are seasonal and subject to change.
- (6) Showers are required before entering the pool.
- (7) Glass containers and products are not permitted in the pool area.
- (8) Children under three (3) years of age and those who are not reliably toilet trained must wear rubber-lined swim diapers, as well as a swim suit over the swim-diaper, to reduce the health risks associated with human waste in the swimming pool/deck area.
- (9) Play equipment, such as floats, rafts, snorkels, dive sticks, and flotation devices are not permitted in the pool. However, children that are learning to swim are permitted to have flotation devices in the pool.
- (10) Pool availability may be rotated in order to facilitate maintenance of the Amenity Center.
- (11) Pets, bicycles, skateboards, roller blades, scooters and golf carts are not permitted on the pool deck area inside the pool gates at any time.
- (12) The District staff reserves the right to authorize all programs and activities, including the number of guest participants, equipment and supplies usage, etc., conducted at the pool including Swim Lessons, Aquatic/Recreational Programs and Pool Parties.
- (13) Any person swimming when the Amenity Center is closed may be suspended from using the facility. Swimming pool hours will be posted. The swimming pool may be closed one day weekly (to be determined) for maintenance. Guests must be registered and accompanied by a Patron before entering the Amenity Center.

- (14) Proper swim attire must be worn in the pool. Cut-offs and thong bathing suits are not allowed.
- (15) No chewing gum is permitted in the pool or on the pool deck area.
- (16) Alcoholic beverages are not permitted in the pool area.
- (17) No diving, jumping, pushing, running or other horseplay is allowed in the pool or on the pool deck area.
- (18) For the comfort of others, the changing of diapers or clothes is not allowed at pool side.
- (19) No one shall pollute the pool. Anyone who does pollute the pool is liable for any costs incurred in treating and reopening the pool.
- (20) Radio controlled water craft are not allowed in the pool area.
- (21) Pool entrances must be kept clear at all times.
- (22) Smoking is not permitted at the Amenity Center or around the pool area.
- (23) No swinging on ladders, fences, or railings is allowed.
- (24) Pool furniture is not to be removed from the pool area.
- (25) Loud, profane, or abusive language is prohibited.
- (26) Food and drink are not allowed within six (6) feet of the pool.

SWIMMING POOL: THUNDERSTORM POLICY

During periods of heavy rain, thunderstorms and other inclement weather the pool facilities will be considered closed.

SWIMMING POOL: FECES POLICY

- (1) If contamination occurs, the pool will be closed for twelve (12) hours and the water will be shocked with chlorine to kill the bacteria.
- (2) Parents should take their children to the restroom before entering the pool.
- (3) Children under three years of age, and those who are not reliably toilet trained, must wear a rubber lined swim-diaper, and a swimsuit over the swim-diaper.

PLAYGROUND POLICIES

- (1) *Hours:* The playground shall be available for use from dawn to dusk.
- (2) Children under the age of thirteen (13) must be accompanied by a parent or authorized person eighteen (18) years old or older.
- (3) Children thirteen (13) years old and older are not permitted to play on the playground equipment.
- (4) No roughhousing on the playground.
- (5) Persons using the playground must clean up all food, beverages and miscellaneous trash brought to the playground.
- (6) Use of the playground may be limited from time to time due to a sponsored event, which must be approved by the District Manager or designee.
- (7) The use of profanity or disruptive behavior is prohibited.

FACILITY RENTAL POLICIES

Patrons may reserve for rental certain portions of the Amenity Center for private events. Only a portion of the Amenity Center is available for rental at any given time and reservations must be made and approved at least 2 weeks and no more than four (4) months prior to the event. In addition, each household may rent the Gathering Room of the Amenity Center only once per quarter of the calendar year. Persons interested in doing so should contact First Coast CMS at Phone 904-537-9034 or e-mail tony@firstcoastcms.com regarding the anticipated date and time of the event to determine availability. Please note that the Amenity Center is unavailable for private events on the following holidays:

Easter Sunday	Thanksgiving
Memorial Day Weekend	Christmas Eve
4 th of July	Christmas Day
Labor Day Weekend	New Year's Eve
	New Year's Day

(1) *Available Facilities:* The Amenity area available for private rental (capacity; rental fee established by rule) for a minimum of four (4) hours (including set-up and post-event cleanup) is:

- The Gathering Room

The pool and pool deck area of the Amenity Center are not available for private rental and shall remain open to other Patrons and their guests during normal operating hours.

The Patron renting any portion of the Amenity Center shall be responsible for any and all damage and expenses arising from the event.

- (2) *Reservations:* Patrons interested in reserving certain areas of the Amenity Facility must submit a completed Facility Use Application to First Coast CMS, phone 904-537-9034 or e-mail tony@firstcoastcms.com. At the time of approval, two (2) checks or money orders (no cash) made out to the *Amelia Concourse Community Development District* should be submitted to First Coast CMS in order to reserve the desired area of the Amenity Center. One (1) check should be in the amount of the rental fee and the other check should be in the amount of the deposit. First Coast CMS will review the Facility Use Application on a case-by-case basis and has the authority to reasonably deny a request. Denial of a request may be appealed to the District's Board of Supervisors for consideration

The rental rates as set forth below include a minimum four (4) hour block of time. Additional hours beyond four (4) are available at the designated per hour rental fee.

- (3) *Fees and Deposits.* The rental fees and deposits for the use of the District's recreational facilities for private social gatherings are as follows:

Amelia Concourse Facility Rental Fee (4 hours)	Fee	Deposit
		\$125 – Private Party (1-25 attendees)
Gathering Room	\$50	\$250 – Private Party (more than 25 attendees)
Additional Hourly Rental Fee (per additional hour)	\$20	NA

- (4) *Refund of Deposit:* To receive a full refund of the deposit, the following must be completed where applicable:

- Ensure that all garbage is removed and placed in the dumpster.
- Remove all displays, favors or remnants of the event.
- Restore the furniture and other items to their original position.
- Wipe off counters, table tops and sink area.
- Replace garbage liner.
- Clean out and wipe down the refrigerator, and all cabinets and appliances used.
- Clean any windows and doors in the rented area.
- Ensure that no damage has occurred to the Amenity Center and its property.
- Patron and Patron's guests are required to adhere to all Amenity Center and pool rules and regulations. Failure to comply with such rules and regulations may result in the forfeiture of Patron's deposit.

If additional cleaning is required, the Patron reserving the area under the Pavilion area will be liable for any expenses incurred by the District to hire an outside cleaning contractor. In light of the foregoing, Patrons may opt to pay for the actual cost of cleaning by a professional cleaning service hired by the District. The District Manager shall determine the amount of deposit to return, if any.

(5) *General Policies:*

- Patrons are responsible for ensuring that their guests adhere to the policies set forth herein.
- Certain areas of the Amenity Center may be rented after its normal operating hours until 12:00 a.m.
- The volume of live or recorded music must not violate applicable Nassau County noise ordinances.
- No glass, breakable items or alcohol are permitted in or around the pool deck area.

SUSPENSION AND REVOCATION OF PRIVILEGES

(1) Privileges at the Amenity Center can be subject to suspension or revocation for up to one (1) year by the Board of Supervisors if a Patron:

- Submits false information on the application for a pass.
- Permits unauthorized use of a pass.
- Exhibits unsatisfactory behavior, deportment or appearance.
- Fails to abide by the Rules and Policies established for the use of facilities.
- Treats the personnel or employees of the facilities in an unreasonable or abusive manner.
- Engages in conduct that is improper or likely to endanger the welfare, safety or reputation of the Amenity Center or its management.

(2) Amenity Center management may at any time restrict or suspend any Patron's privileges to use any or all of the Amenity Center when such action is necessary to protect the health, safety and welfare of other Patrons and their guests, or to protect the District's facilities from damage. Such restriction or suspension shall be a maximum of thirty (30) days or until the next Board of Supervisor's meeting, whichever occurs first

(3) Persons whose privileges have been suspended or revoked may have that determination reviewed by the District's Board of Supervisors pursuant to the District's Rules of Procedure.