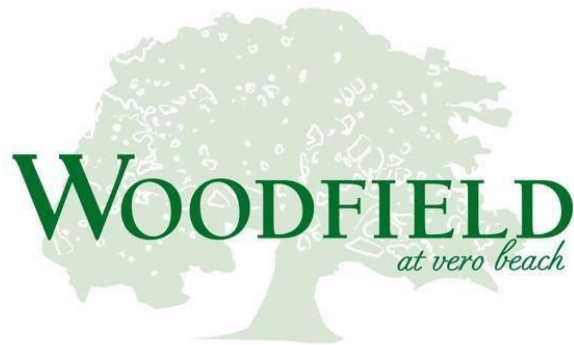


# WOODFIELD PROPERTY OWNERS ASSOCIATION, INC.

## RULES AND REGULATIONS



**RULES AND REGULATIONS**

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## RULES AND REGULATIONS

**1 Introduction.** Each Owner, tenant, guest, or invitee is required to observe, and comply with, these Rules & Regulations, which have been promulgated and approved by the Board of Directors (“**Board**”) of the Woodfield Property Owners Association, Inc. (“**Association**”). These Rules & Regulations are specifically enforceable by injunction or otherwise; and have the effect of covenants as set forth in the Governing Documents.

Most, but not all, of these Rules & Regulations are associated with requirements already set forth in the Declaration for Woodfield or Florida Statutes. In such instances, the requirements set forth in this document are annotated with a reference to the appropriate section of the Declaration or Statutes. Some Rules & Regulations are not set forth in the Declaration, but have been adopted by the Board, consistent with the powers granted to it in Paragraph 6.1.2 of the By-Laws of the Association.

The Board may, from time to time, modify or amend these Rules & Regulations. Any such modifications or amendments will be consistent with, or more conservative than, the provisions of the Declaration, and will be effective upon approval by the Board.

As these Rules & Regulations may not cover all requirements in their entirety, Owners and residents should also be familiar with requirements contained in the Governing Documents.

**2 Defined Terms.** All initially capitalized terms are intended to have the meanings set forth in the Declaration unless otherwise defined herein.

**2.1 Governing Documents.** The Governing Documents include the Declaration for Woodfield (“**Declaration**”), Articles of Incorporation (“**Articles**”), By-Laws, Rules & Regulations, Architectural Control Committee (“**ACC**”) Community Standards, and the Florida Statutes (“**FS**”).

**3 Requirements.**

**3.1 Age of Residents.** (Declaration 20.1, 20.4) At least eighty percent (80%) of the Homes must be occupied by at least one (1) person fifty-five (55) years or older. Persons under the age of eighteen (18) are not permitted to be permanent occupants of any Home. However, persons under the age of eighteen (18) are permitted to visit and temporarily reside for periods not to exceed thirty (30) days in total in any calendar year. Association is responsible for maintaining age records on all occupants of Homes, and may periodically require occupants to produce copies of documents containing reliable birth date information.

**3.2 Alterations and Modifications.** (Declaration 11.1, 16.5, 16.7) Material alterations or modifications to a Home, or material changes in the appearance thereof, may not be made without prior written approval of the ACC. This includes repainting the exterior of a Home, and material landscape modifications. Any and all alterations, deletions, additions and changes of any type or nature whatsoever to previously existing improvements or the plans or specifications previously approved by the ACC are subject to approval of the ACC in the same manner as required for approval of original plans and specifications. Architectural Change Request forms may be obtained at the POA desk in the Clubhouse, or downloaded from the Manager’s website.

**3.3 Animals.** (Declaration 11.2) All pets must be registered with the Association. Pet Permit Applications are available in the Clubhouse. Owners may keep domestic pets as permitted by Indian River County ordinances up to a limit of three (3) domestic pets or animals per Home, as long as such pets or animals do not constitute a nuisance, and are not raised, bred or kept for commercial purposes. Dangerous animals (as determined by the Board), reptiles, and animals normally considered livestock or farm animals are not permitted. A determination by the Board that a pet being kept or harbored in a Home is a nuisance is binding on all parties. When notice for removal of any pet is given by the Board, the pet must be removed within forty-eight (48) hours of the giving of such notice. Pets or animals may not be “tied out” on the exterior of a Home or in the Common Areas, or left unattended in a yard or on a porch, or patio. Dog runs and enclosures are not permitted on any Home. All pets must be walked on a leash, and are only permitted outside a Home while on a leash. The person walking the pet or the Owner must clean up all matter created by the pet. Each Owner is responsible for the activities of its pet.

**3.4 Artificial Vegetation.** (Declaration 11.3) Artificial grass, plants, or other artificial vegetation may not be placed on the exterior portion of any Home.

**3.5 Change of Occupancy.** (Declaration 20.3) Owners must immediately notify the Board in writing of any proposed change in occupancy of any Home, as a result of transfer, sale, gift, lease, sublease, assignment, birth, death, marriage, separation, divorce or otherwise. Such notification must provide the names and ages of all current and proposed occupants, and any other information needed to verify the age of each occupant.

**3.6 Display of Flags.** (FS 720.304(2)) Any Owner may display one portable, removable United States flag or official flag of the State of Florida in a respectful manner, and one portable, removable official flag, in a respectful manner, not larger than 4-1/2 feet by 6 feet, which represents the United States Army, Navy, Air Force, Marine Corps, or Coast Guard, or a POW-MIA flag. Such flag displays are discussed in more detail in the ACC Guidelines and Standards. ACC approval is not required for such flag displays.

**3.7 Drainage.** (Declaration 13.8) Structures, landscaping, or other materials may not be placed or permitted to remain in a place which may interfere with land drainage, irrigation, or which may obstruct or retard the flow of water through Woodfield.

**3.8 Drones.** Drones are prohibited from the following:

- Flying in any airspace within 400 feet above the Common Areas;
- Landing on the Common Areas;
- Flying in any airspace within 400 feet above any Lot in Woodfield without the consent of the owner or occupant of that Lot; or
- Landing on any Lot in Woodfield without the consent of the owner or occupant of that Lot.

“Drone” is defined as an unmanned aircraft that can fly under the control of a remote pilot or by a geographic positions system (GPS) guided autopilot mechanism. The term “Common Areas” and “Lot” shall have the same meaning

as given to them in the Amended Declaration for Woodfield. This rule does not prohibit the use of drones by the Association.

**3.9 Extended Vacations and Absences.** (Declaration 11.14) In the event a Home will be unoccupied for an extended period, the Home must be prepared prior to departure by (i) removing and storing all exterior furniture, plants and other objects; (ii) designating a responsible firm or individual to care for the Home, should the Home suffer damage or require attention, and provide a key to that firm or individual; and (iii) notifying Association in writing of the extended absence and providing the name and contact information of the designated caretaker.

**3.10 Fencing.** (Declaration 7.3.4, 11.15) No walls or fences may be erected or installed.

**3.11 Firearms.** (Declaration 11.29) Discharge of firearms within Woodfield is prohibited.

**3.12 Front Yard Decorations.** (Declaration 11.9) No decorative objects including, but not limited to, bird baths, light fixtures, sculptures, statues, weather vanes, or flag poles may be installed or placed within or upon any property, except as provided in the ACC Guidelines and Standards. Any decorative objects beyond those provided for in the ACC Guidelines and Standards may not be installed without the prior written approval of the ACC.

**3.13 Fuel and Substance Storage.** (Declaration 11.16, 11.43) No fuel of any kind may be stored, except as may be necessary or reasonably used for swimming pools, spas, barbecues, fireplaces, emergency electric generators or similar devices. Flammable, combustible or explosive fuel, fluid, chemical, hazardous waste or substances are not permitted on any portion of Woodfield or within any Home, except those which are required for normal household use. All propane tanks and bottled gas for household and/or pool purposes (excluding barbecue grill tanks) must be installed underground or in a manner that is screened from view by landscaping or other materials.

**3.14 Garages.** (Declaration 11.17) Each Home has its own garage. Carports are not permitted. Garage doors must remain closed at all times except when vehicular or pedestrian access is required, or when the garage is otherwise in use by the Owner. Screening of garage entrances is not permitted.

**3.15 Garbage Cans.** (Declaration 11.18) Garbage and trash must be properly deposited in garbage cans and trash containers, with lids, in accordance with the requirements for pick-up by Waste Management. Garbage cans and trash containers must be maintained in a sanitary condition, and shielded from the view of adjacent properties and streets. Garbage cans and trash containers may not be placed outside the Home for pick-up earlier than 6:00 pm on the day preceding the pick-up, and must be returned to the Home so that they are not visible from outside the Home on the day of pick-up. Outside burning of trash or garbage is not permitted.

**3.16 Grills and Cooking.** (Declaration 11.8) Outside grills and barbecue facilities are permitted in the back yards of Homes. Propane, natural gas, electric or charcoal grills are

permitted on rear patios and lanais, and on walkways on the side of a Home. Grill use must comply with all fire and building codes.

**3.17 Holiday Decorations and Lighting.** (Declaration 11.9) Holiday decorations and lighting are permitted to be placed on the exterior portions of a Home from Thanksgiving until January 15th of the following year. The ACC may require the removal of any lighting that creates a nuisance (e.g., unacceptable spillover to adjacent Home). Allowable decorations for other holidays are discussed in the ACC Guidelines and Standards.

**3.18 Hurricane Shutters.** (Declaration 11.20) Hurricane shutters may not be left closed during hurricane season or at any other time. Permanently installed hurricane shutters may be installed or closed up to seventy-two (72) hours prior to the expected arrival of a hurricane and must be removed or opened within seventy-two (72) hours after the end of a hurricane watch or warning. Shutters may not be closed at any time other than a storm event.

**3.19 Insurance.** (Declaration 12.5.1) Each Owner must obtain and maintain adequate insurance on their Home. Such insurance must be sufficient for necessary repair or reconstruction work, and related costs, or cover the costs to demolish a damaged Home as applicable, remove the debris, and to re-sod and landscape land comprising the Home. Owner's insurance declaration page must be submitted to the Association as each policy renews. A drop box has been provided in the Clubhouse.

**3.20 Landscape Maintenance.** (Declaration 8.2, 11.47) Owners that have acquired maintenance responsibility for landscaping on their property through modification of builder installed landscape must maintain that landscaping to the community standard and on the community landscape maintenance schedule. Owners must also allow the community landscape contractor to maintain their landscape in a trimmed condition, consistent with the community standard. The community standard and schedule for landscaping activities are determined by the community landscape contractor.

**3.21 Parking.** (Declaration 11.4.1) All automobiles, recreational vehicles, personal street vans, and personal trucks must be parked in the garage or driveway, and not block the sidewalk. Overnight parking on any street is strictly prohibited. Exceptions for unusual situations may be authorized by the Association. Commercial vehicles and trucks or vans larger than three-quarter (3/4) ton may not be parked anywhere except during the period of a delivery or service.

**3.22 Personal Property.** (Declaration 11.32) Personal property must be stored within the Home. No personal property, except usual patio furniture, may be stored on, nor any use made of, the Common Areas, or Home, which is unsightly or interferes with the comfort and convenience of others.

**3.23 Prohibited Vehicles.** (Declaration 11.4.3) Commercial vehicles, limousines, trailers (boat trailers, house trailers, and trailers of every other type, kind or description, or campers) may not be kept within Woodfield, except in the garage of a Home. The term commercial vehicle does not include law enforcement and other government vehicles, recreational or sport utility vehicles (SUVs), or clean "non-working" vehicles such as pick-up trucks, vans, or cars if they are used by the Owner on a daily basis for normal transportation.

Vehicles bearing “for sale” or any other commercial signage may not be parked within public view. Vehicles may not be used as domiciles or residences, either temporarily or permanently.

**3.24 Sale or Lease.** (Declaration 11.26, 20.2) All leases and occupancy agreements must be pre- approved by Association prior to execution and be written on forms approved by Association. All leases must contain the provision that the Association has the right to terminate the lease upon default by the tenant in observing any of the provisions of Association Governing Documents. Owners are responsible for providing their tenants with copies of all such documents at Owner’s expense.

Leases, purchase and sale agreements, transfer documents, or any other occupancy agreement must be in writing and signed by the tenant or purchaser. A statement that the Homes within Woodfield are intended for occupancy by persons fifty-five (55) years of age or older must be included, in conspicuous type, in any such document. Owners may not transfer any interest in a Home without the approval of the Association.

Homes may be leased, licensed, or occupied only in their entirety. No fraction or portion may be rented. No bed and breakfast facility may be operated out of a Home. Individual rooms of a Home may not be leased on any basis. No transient tenants may be accommodated in a Home.

Homes may not be subject to more than two (2) leases in any twelve (12) month period, regardless of the lease term. No lease term may be less than ninety (90) days. No subleasing or assignment of lease rights by the tenant is permitted. In no event shall occupancy of a leased Home (except for temporary occupancy by visiting guests) exceed two (2) persons per bedroom.

Each Owner is jointly and severally liable with the tenant to the Association for all costs incurred by the Association for repair of any damage to Common Areas, or to pay any claim for injury or damage to property caused by tenants.

**3.25 Servants.** (Declaration 11.38) Servants and domestic help of any Owner may not gather or lounge in or about the Common Areas.

**3.26 Signs.** (Declaration 11.39) Signs (including brokerage or for sale/lease signs), flags, banners, advertisements, notices or other lettering are not permitted, and therefore, may not be exhibited or displayed upon any part of Woodfield that is visible from the exterior of a Home. No sign may be placed in the window of a Home. Exceptions to the above requirements can be found in the ACC Guidelines & Standards.

**3.27 Swimming, Boating and Docks.** (Declaration 11.44) Swimming and boating are prohibited within any of the lakes or water bodies. No docks may be constructed within any of the lakes or water bodies within Woodfield.

**3.28 Use of Homes and Commercial Activity.** (Declaration 11.6, 11.45) Each Home is restricted to residential use by the Owner or permitted occupant(s) thereof. Commercial or business activities may not be conducted in any Home. However, a home business office may be maintained for Owner’s personal use. Customers and clients are not permitted to meet with Owners in Homes. Owners may not actively engage in any solicitations for commercial



purposes. Day care centers or facilities may not be operated out of a Home. Garage sales are not permitted, except as approved by Association.

**3.29 Vehicle Access Gates.** Woodfield is a gated community, with automated lift and swing gates to control vehicular access at two locations. All residents have barcode stickers and four-digit personal codes to be used for access. Tailgating other vehicles through the open gates may well result in damage to the lift or swing gates. Therefore, residents should enter the community one vehicle at a time. Tailgating is not permitted, and could lead to a fine.

**3.30 Repairs and Maintenance of Vehicles.** (Declaration 11.4.2) Vehicle repair and maintenance, except emergency repair, is not permitted, except in the garage of a Home. Vehicles which cannot operate on their own power may not remain on the property for more than twelve (12) hours, except in the garage. Vehicles are not permitted to be stored on blocks, except in the garage. Tarpaulin covers on vehicles are not permitted anywhere within the public view.

**3.31 Visibility on Corners.** (Declaration 11.46) Obstructions to visibility at street intersections are not permitted. Vehicles, objects, walls, hedges, shrubs or other plantings are not permitted on corner Lots where such obstructions would create traffic problems.

**3.32 Weeds and Refuse.** (Declaration 11.47) Weeds, underbrush, and other unsightly growth are not permitted to be grown or remain upon any Home. This includes weed growth between driveway pavers. Refuse and unsightly objects may not be allowed to remain.

**3.33 Wetlands Conservation Areas.** (Declaration 8.9.3, 8.9.4, 8.9.5, 8.9.6, 13.52) Owners or other persons are not permitted to take any action or enter onto preserves, wetlands, and/or mitigation areas so as to alter them from their natural state or otherwise adversely affect them. Native vegetation (including cattails) that becomes established within the wetland conservation areas is not permitted to be removed. Removal includes dredging, application of herbicides, cutting, and the introduction of grass carp.

Activities prohibited within the conservation areas include, but are not limited to, the following:

- Construction or placing of landscaping, buildings, roads, signs, billboards or other advertising, utilities, or other structures on or above the ground;
- Dumping or placing of any materials or trash, waste, or unsightly or offensive materials;
- Removal or destruction of trees, shrubs or other vegetation; with exception of nuisance or exotic plant species;
- Excavation, dredging, or removal of loam, peat, gravel, soil, rock or other material substance in such a manner as to affect the surface;
- Diking or fencing;
- Surface use except for purposes that permit the land or water area to remain predominantly in its natural condition;
- Activities detrimental to drainage, flood control, water conservation, erosion control, or fish and wildlife habitat conservation or preservation;
- Acts or uses detrimental to such aforementioned retention and maintenance of land and water areas; and

- Acts or uses detrimental to the preservation of any features or aspects of the property having historical, archeological, or cultural significance.

**3.34 Window or Wall Air Conditioning Units.** (Declaration 11.50) Window or wall air conditioning units may not be installed in any window or wall of a Home.

#### **4 Clubhouse Facilities.**

##### **4.1 Clubhouse Rules.**

**4.1.1** In order to insure Residents enjoyment of all Clubhouse facilities, all persons using them shall conduct themselves in a courteous manner with due regard for the rights of others to use and enjoy the facilities. Violations of these rules could result in suspension of the use of the Clubhouse facilities.

**4.1.2** The number of people using any or all of the facilities at a given time may be limited as needed. All Residents have the right to participate in all social events, with the exception of an event being limited to a specific group or organization.

**4.1.3** All people using the Clubhouse facilities will comply with the instructions and decisions of the Manager, or members of the Staff, regarding the use of the facilities, priority of use and length of time. Persons who fail to comply will be subject to removal.

**4.1.4** Supplemental rules and regulations may be posted by the Manager in specified areas as needed from time to time. All Residents and their guests will be responsible for reading and abiding by these rules. Rules and regulations that are posted in any particular area, room, or facility will control the use thereof and shall be deemed supplemental to these Clubhouse Rules herein enumerated. Should supplemental rules get posted, an e-blast will be sent to the community.

**4.1.5** The Clubhouse is designated as a **NO SMOKING** facility, including the tennis courts and the pool/spa areas. However designated smoking areas are available outside the building.

**4.1.6** Appropriate shoes are required to participate in activities, which include but are not limited to tennis, dance, exercise, etc. When playing tennis proper attire is required on the courts. (See Tennis Court Rules)

**4.1.7** Wet swimwear and bare feet are not permitted in the Clubhouse. Use exterior, side entry gates while wearing wet attire.

**4.1.8** No food or drinks are permitted in the Clubhouse, except liquids in a spill-proof container, with the exception of designated areas such as multi-purpose room where scheduled events or functions are hosted.

**4.1.9** Food and drinks are permitted on the veranda (exterior of the Clubhouse) but all liquids must be in a spill-proof, non-breakable container. **NO GLASS**

**4.1.10** No food permitted in the fitness center, however liquids are allowed in a spill-proof, non-breakable container. No alcohol, drugs (including steroids) are allowed in the fitness center.

**4.1.11** No food or drinks permitted in the computer/library room, or the billiard room. Liquids in a spill-proof, non-breakable container will be permitted in the card rooms.

**4.1.12** Residents and their guests may be held responsible for any items such as furniture, or any other property found to be missing or damaged. The Clubhouse facilities are under 24 hour video Manager surveillance.

**4.1.13** It is the responsibility of the residents to register their guests in person at the Clubhouse before utilizing any facilities including exercise classes, card playing, or other activities. All guests must be registered with the Manager or Staff immediately upon entering the Clubhouse lobby. The registration form does allow for the length of stay to be specified, whether it be several hours or several days. Guests 18 and over will be provided with a Woodfield bracelet that are water resistant and must be worn while guest is utilizing any of the Clubhouse facilities. Bracelets are to be returned to the Clubhouse within 24 hours of guest departing, failure to do so will result in a \$10 fee per bracelet assessed to the resident. The issuing of guest bracelets is a privilege not a right. All guests must conform to all rules and regulations. Any violation could also be cause for removal of privileges for the residents.

**4.1.14** All guests must be 18 years of age to use the fitness center.

**4.1.15** Use antibacterial wipes to wipe down benches and all other equipment before and after use for health reasons. Re-rack the weights when you finish each exercise. Share equipment and let others work in when doing multiple sets.

**4.1.16** Guests may attend classes at the same existing fees as residents. If a class is full, residents will be admitted first.

**4.1.17** Residents must purchase tickets for guests wishing to attend special functions or shows for which a fee is charged. Residents have first priority on purchase of tickets. Guests are not required to be registered when attending a Clubhouse facility event.

**4.1.18** The billiards room can only be used by persons at least 18 years of age or older. NO EXCEPTIONS.

**4.1.19** All card rooms can only be used by persons 18 years of age or older. NO EXCEPTIONS.

**4.1.20** Homeowners transfer and relinquish their Clubhouse facilities privileges to the tenants if the house is leased.

**4.1.21** Guests less than 18 years of age must at all times be accompanied by an adult responsible for their safety and behavior while using the Clubhouse facilities.

**4.1.22** Personal Items must NOT be left in the restroom lockers overnight.

**4.1.23** Information must NOT be downloaded from the internet onto the computers in the computer/library room. It is prohibited to use the computers to view any illicit websites. Any infraction of this rule will result in fines assessed to the residents.

**4.1.24** The portico entrance is for drop off and pick up ONLY. It is NOT for the purpose of parking cars, bicycles, or golf carts.

**4.1.25** Pets are not permitted in the clubhouse, pool/spa, or on the tennis courts.

## **4.2 Pool/Spa Rules.**

**4.2.1** All residents and guests using the pool/spa incur a certain risk. Neither the Woodfield POA, the Board of Directors, nor its representatives shall be liable for any accident, loss, or injury, in connection with such use.

**4.2.2** The use of the pool/spa is at your own risk. There is NO LIFEGUARD ON DUTY.

**4.2.3** Running, diving, boisterous, or rough play or other disruptive activities are not permitted.

**4.2.4** The pool/spa hours are from dawn to dusk. The pool/spa gates are locked at dusk.

**4.2.5** Immediately prior to entering the pool/spa, a cleansing shower is required. Suntan lotions must be showered off before entering the water. DO NOT USE SOAP.

**4.2.6** Persons using the pool/spa must be attired in clean, bona fide swimwear.

**4.2.7** Guests less than 18 years of age are not permitted in the pool/spa without an adult responsible for their safety and behavior present.

**4.2.8** Floating devices, toys, or other objects which pose a hazard or hinder efficient use of the pool/spa will not be permitted. (Noodles are approved)

**4.2.9** No food of any kind or glass containers are permitted in the pool/spa areas.

**4.2.10** In consideration of other residents in proximity of the pool/spa, amplified sound equipment is not to be used in the pool/spa area unless approved by the Manager or Staff for aquatic classes or special events.

**4.2.11** Persons under the influence of alcohol or other intoxicants will be denied access to the pool area and will be asked to leave the area.

**4.2.12** SMOKING, INCLUDING VAPOR CIGARETTES, IS NOT PERMITTED IN THE POOL/SPA AREAS OR ON THE VERANDA.

**4.2.13** Persons wearing bandages or suffering from infectious or communicable diseases shall not use the pool/spa.

**4.2.14** Children and adults using diapers are not permitted in the pool/spa, as well as anyone with open cuts or wounds. Children that are NOT POTTY trained are not permitted in the water. Please be informed that fecal matter in the pool must be reported to the Manager or the Staff immediately and will require, by order of the Health Department, the immediate evacuation of the pool or spa area. This could incur not only the cost of shock treatment, but also closing the pool deck area for two (2) days thereby inconveniencing many people.

**4.2.15** ALL CHILDREN UNDER 18 MUST BE ACCOMPANIED BY AN ADULT AND CHILDREN 10 AND UNDER ARE NOT PERMITTED IN THE HOT TUB/SPA. A child is more likely to become overheated, which can cause dizziness and lightheadedness, which can lead to drowning. A child will not know what is happening to him/her if they become disoriented as a result of prolonged time in a hot tub/spa and may not be able to communicate that they are feeling over-heated or nauseated.

**4.2.16** Lap swimming is not allowed during regularly scheduled water aerobics classes.

**4.2.17** Lap swimmers are requested to use the lap lane on the west side of the pool (farthest away from the main pool steps) first. If the lane is in use, the second lane may be used.

**4.2.18** While lap swimmers do not have priority over pool ‘boppers’, others using the pool should show common courtesy to lap swimmers by staying out of their way to a reasonable extent.

### **4.3 Tennis Court Rules.**

#### **4.3.1** Tennis Court Usage.

Prime Time is 8 am-12 noon daily from November 1<sup>st</sup> thru April 30<sup>th</sup>

- During prime time guests are permitted to play on Tuesdays and Thursdays.
- Overnight registered guests and family members are permitted to play during prime time.
- Courts reserved during prime time will be scheduled in increments of two (2) hours from 8-10 am and 10 am-12 noon.
- Court reservations may be made up to one week in advance.
- Reserved courts are deemed open courts if after ten (10) minutes they are not occupied.
- Residents can only sign up for one court each day during prime time.
- The resident reserving the court time will be listed first and will be responsible for the court and play is limited to two (2) hours.
- Ball Machines are not permitted to be used 8 am-12 noon and must be noted on the sign-up sheet “BALL MACHINE”.

#### **4.3.2** Blocked Tennis Courts.

- Blocked court time is not available for reserved or open play.
- Blocked court time will be reviewed as warranted by the tennis committee based on usage.

#### Blocked Times

Ladies tennis	M-W-F	8AM – 10AM	4 COURTS
Men’s tennis	M-W-F	10AM – NOON	4 COURTS
FUN TENNIS	Sun-Tu-Th	8AM – 10 AM	2 COURTS

- Additional blocked times may include IRC league times, Special events, Woodfield tournaments Refer 4.3.12 for additional detail.

**4.3.3** Proper tennis attire and tennis shoes must be worn on the courts.

**4.3.4** The courts are for tennis play only.

**4.3.5** Children under the age of 18 are not permitted on the tennis courts unless accompanied by the adult responsible for their safety and their behavior.

**4.3.6** Please sweep and line your court when finished and hang the drag mat and line sweeper up.

**4.3.7** All players will act in a sportsman like manner consistent with fair play and good conduct.

**4.3.8** Profanity or bad behavior is not acceptable and will be reported to Manager.

**4.3.9** Team Captains are in charge of information pertaining to league play to be coordinated with the Manager or staff so courts can be blocked, gate codes given.

**4.3.10** The Tennis Committee Chair will provide updated information, court maintenance issues and suggestions from the tennis committee to the Manager.

**4.3.11** Smoking is NOT permitted on or around the tennis courts.

**4.3.12** Tennis special event policy.

All residents planning a special event using our tennis facility including IRC league play will follow these policies.

Residents and Captains will:

- Team Captains are in charge of information pertaining to league play to be coordinated with the Manager or staff so courts can be blocked, gate codes given;
- Coordinate with the Manager dates, times, type of activity to prevent conflicts with other scheduled activities and events as well as maintenance of the facility;
- Provide name(s) of residents in charge of the event;
- If a substantial non-resident participation is in effect provide the Manager, all necessary information needed to issue a special code for the day/time of the event;
- If needed, request special event tennis screens to be reconfigured and benches relocated;
- Coordinate with the Manager as soon as possible the dates of the event;
- Ensure all tennis and clubhouse facility rules are followed, grooming of the courts completed after play, and any areas used for socializing cleaned.

Manager will:

- Approve the event based on a review of usage of courts by other entities or maintenance requirements, POA board may provide guidance if needed;
- Issue a special gate code for the day/time of event;
- Coordinate with maintenance man any changes to scheduled maintenance or the task of moving screens or benches.

## **5 Violations.**

### **5.1 Complaints Regarding Violations of POA Regulations.**

Violations of POA Regulations may be observed by Woodfield Board or Committee members, Residents, or Manager and Staff. Each owner, tenant, guest, or invitee, as applicable, is required to comply with the provisions of the Woodfield Governing Documents. Complaints will be filed in the following manner.

### **5.2 Complaint Procedure.**

**5.2.1** When violations are observed by a Committee member or resident, that member will generate a complaint report including as much detail as possible and forward it to the Manager. The Manager will determine which rule or covenant is being violated. If the violation involves a vehicle, the following information should be included in the report, if available:

- a. Identity or general description of the driver.
- b. Vehicle plate number.
- c. Description of the vehicle.
- d. Date and time of occurrence.
- e. Location of the violation.
- f. Nature of the complaint.

**5.2.2** If the Manager feels the complaint is valid, he will prepare a Complaint Report and notify the alleged violator of the nature of the complaint in a letter, which shall be filed in the resident's POA File. A copy of the letter will be sent to the Woodfield Security Chairperson and to the POA President for their information.

**5.2.3** Violations occurring within the community by non-members of the POA (service personnel, contractors, visitors, employees, etc.) will result in the preparation of a Complaint Report. The Woodfield Manager will send a letter to the violator or his/her company advising of the alleged infraction and indicating, if appropriate, a future violation will result in the person being restricted from our property. In the case of violation of a visitor, if the complaint is valid, a Complaint Report will be filed in the Resident's POA File, with copies sent to the Woodfield Security Chairperson and the Woodfield POA President, for their information.

### **5.3 Violation Procedure.**

**5.3.1** In the event of an alleged infraction, a written first notice of violation shall be issued to the alleged offender, either in person, via first class mail, or certified mail. The notice shall:

- a. Identify the specific provision(s) violated.
- b. Provide a detailed description of the alleged infraction(s).

- c. Require a response within fourteen (14) days of date of notice.
- d. Advise the alleged offender of options available to resolve the issue.
- e. Advise the alleged offender that the failure to respond within the required time shall constitute a default, and the alleged violation shall be considered valid.

**5.3.2** A second notice of violation is grounds for the assessment of a fine. Prior to administering a fine the Board of Directors will review the nature of the violation to assure a fine is warranted. If the fine is warranted, the Manager will send the notice of the violation approximately fourteen (14) days after the first notice of violation, if the violation is not corrected, or if a repeat violation occurs at a future time. The owner/tenant is advised they had a continued violation which will result in a \$100 fine and may be subject to additional fines of \$100 per day if the violation is not corrected. The owner/tenant is advised he/she has the option of appealing the fine to the Violations Committee and must contact the Violations Committee in writing within fourteen (14) days of receipt of this letter if they plan to appeal.

**5.3.3** If the fine has not been paid or if the violator fails to contact the Violations Committee or if the fine is overturned by the Violations Committee, a notice is sent advising the owner/tenant that the Violations Committee has upheld the fine and \$100 has been assessed to their lot and that the violation must be corrected. It gives him/her the address to mail the check made payable to the Woodfield POA, Inc.

**5.3.4** In the event that an owner/tenant is considered to be in violation of the Association Documents and that the violation is a repeat of a previous violation or substantially similar to a previous violation, then the POA may eliminate the First Notice of Violation. In this case, one (1) Notice of Violation may be sent notifying the owner/tenant that he/she is being issued a \$100 fine and may be subject to additional fines of up to \$100 a day up to \$1000 and/or a suspension of rights and that he/she has the option to contact the Violation Committee within fourteen (14) days of receipt of the notice. If the violator fails to contact the Violations Committee, a letter will be sent advising the violator that the Violations Committee has upheld the fine and where to send the check.

The Board of Directors may de-activate the bar code of a repeat violator and require entrance through the visitor's lane although the resident must be warned in advance that failure to comply with the Rules and Regulations will result in this sanction being imposed. The Board of Directors may bar any contractors who repeatedly violate our rules.

**5.4 Appeal Procedure.** Florida Statute 720 requires that each property owner's association establish a Violations Committee. The Woodfield POA, Inc. shall operate under the following rules and procedures.

**5.4.1** The Violations Committee shall have a minimum of three (3) members as required by statute and shall preferably have five (5) members.

**5.4.2** Violations Committee members shall be Woodfield homeowners or spouses of Woodfield homeowners. No officer, director, employee, or member of the Architectural Control Committee of Woodfield Property Owners Association may serve on the Violations Committee. No spouse, parent, child, brother, sister, or dependent of any officer,



director, employee, or member of the Architectural Control Committee of the Woodfield Property Owner Association may serve on the Violations Committee.

**5.4.3** The Violations Committee Chairperson and members shall be appointed by the Woodfield POA Board of Directors. Violations Committee members shall serve at the discretion of the Board of Directors, as is standard for other committees.

**5.4.4** The Violations Committee may approve or disapprove an appealed fine or sanction by a majority vote. The Violations Committee rules on whether or not a fine or other sanctions have been properly imposed in accordance with the relevant guideline, procedure, article, covenant, or by law. The Committee does not rule on whether a guideline, procedure, article, covenant, or by law is good, bad, right, or wrong.

**5.4.5** The Violations Committee shall set a reasonable, fixed meeting schedule or meet on as required basis. The Manager shall suspend collection of appealed fines or sanctions until the date the appeal is scheduled to be heard by the Violations Committee.

**5.4.6** The Violation Committee may grant up to fifteen (15) days additional time for compliance if they decide that an extension is warranted, but in each case the Committee should consider time extensions previously approved by the Manager. If the time of the sanction is upheld, it will be effective within three (3) working days unless additional time is granted by the Violations Committee.

**5.4.7** The Committee will evaluate the facts presented by the resident, requesting the appeal and facts supplied and/or presented by the Manager, Board of Directors representative and members of the Architectural Control or Security Committees as appropriate. The decision on the appealed fine shall then be made as to whether or not the fine was properly imposed.

**5.4.8** The Violations Committee meeting is not an open process. Only the individual requesting an appeal and designated representatives of the Manager, Board of Directors, Architectural Control, or Security Committees are required to be notified.

**5.4.9** The Manager shall provide a complete set of data for each participating member of the Violations Committee at least seventy-two (72) hours prior to such meeting. The Manager shall make appropriate arrangements with the Violations Committee for delivery of such documents during the normal workday of the Manager.

**5.4.10** Any homeowner that plans to be represented by an attorney must so notify the Manager, in writing, no less than six (6) working days prior to the scheduled Violations Committee meeting.

**5.4.11** The Violation Committee shall comply with the relevant sections of Florida Statute 720 as it relates to property owners fines and appeals. The Manager shall provide each Committee member with a copy of the relevant sections of this Statute as provided by the POA attorney. The committee shall also comply with the Woodfield Property Owner Standards, Covenants, Articles of Incorporation, By Laws, and procedures established by the Board of Directors and all legal agreements binding on the Woodfield Property Owners Association, Inc.

**5.4.12** The Chairperson of the Violations Committee will create minutes of the meetings. Included in the minutes for the record should be a list of those residents who were fined but did not elect to appeal.

## **6 Information Security and Access Policy.**

**6.1 Purpose.** The purpose of this policy is to ensure Woodfield POA compliance with:

- Florida statute 720.303(4), Official Records
- Florida statute 720.303(5), Inspection and copying of records
- Other federal laws regarding protection of various classes of information such as Personally Identifiable Information (PII) and health care information.

This policy covers all storage, access, retrieval and release of information from paper files maintained by the Board and Manager as well as electronic files and databases that are maintained by the Association, including, but not necessarily limited to, databases used for community emails, clubhouse and gate security purposes

**6.2 Physical Security of Information.** All files addressed by Florida statute 720.303 will be kept in a locked file room in locked filing cabinets.

The Manager maintains some files created and used by the Manager in conjunction with his role as Manager. Illustrative examples are requests for quotes, vendor proposals, violation notices, information associated with violation processing, communications with the Association's attorney and/or vendors. These records may be kept in the Manager's office in lieu of the file room but they must be secured in a locked filing cabinet and the Manager's office must be locked when the Manager or his representatives is not on site.

**6.3 Database and Electronic Security of Information.** Any database or other electronic records maintained by the Woodfield POA or Manager that are associated with the 720.303 data requirements or any other storage of sensitive data such as PII data will be Protected. This includes PC/Laptop hard drives, thumb drives, CD's or DVD's. Any "removable media" used such as a thumb drive, CD or DVD will also be stored when not in use in a locked filing cabinet. Passwords used to access Protected files will be individual passwords. Group or shared passwords will not be used. User names and passwords used to access Protected electronic data may be stored in written form in a secure file located in the file room or the Manager's office in a cabinet accessible by the Manager only.

**6.4 Access of Physically Secured Files.** The files kept for the purposes of this policy may be accessed by the following:

- The Manager and staff
- The current POA board members for purposes related to Board Members' Association duties

When files are accessed in the file room a log of the access will be maintained and will include at least:

- Name of Person accessing the files,

- date and time of access,
- description of the files accessed.

Exceptions to this policy may be granted by the Manager or the POA Board President, for good cause. The basis for the good cause exception shall be set forth in the log. If an exception is made, any resulting access will be monitored by the Manager or Board President.

The Architectural Control Committee (ACC), an extension of the POA Board, requires access to files and the ACC also creates files that are required for storage in the secure files. The ACC Chair and Manager will establish procedures to supplement this policy. In any event, the following accommodation for the needs of the ACC Chair will be made:

- The Manager will retrieve required ACC records, for example an Architectural Control Request and provide those records to the ACC. A log of the signed-out records will be maintained in the file room.
- The ACC will keep any such records signed out in a locked filing cabinet elsewhere in the clubhouse (i.e. the "Manager's office.")
- ACC may maintain these records and complete their work on an ACR.
- The ACC Chair will return completed records (ACR's) and any associated signed out files back to the Manager for file maintenance actions.

**6.5 Access to and Release of Protected Files and Data.** The Manager Representative with the individual login and password for Protected access is the only person that can access the Protected files/data. If new employees are brought on board, the username/password will need to be reestablished for the new employee. The login credentials stored by the Manager may be used in this process.

Emergency contact information is specifically protected under 720.303(4) and no individual member has right of access. The Manager and the POA Board may access this information if it is needed in the furtherance of their fiduciary duties to protect the health, safety and welfare of the community and its residents

**6.6 Records Requests.** Anyone requesting a record covered by 720.303 will make the request to the Manager or representative. The Manager will complete the request within ten working days. This timeframe includes making any required redactions per 720.303(5)(c) prior to document release. The Manager may set appropriate copy charges to offset the costs to the POA of making these copies in line with 720.303(5) (c).

**RECORDS RETENTION:**

1. The Board of Directors shall be responsible for ensuring that the records are retained and there is compliance with this policy.
2. The Property Management Company shall act as records custodian and maintain the official records of the Association under the direction of the Board. In the event the Board terminates its community management, the Property Management Company shall turn over all records (both paper and electronic records) to the President of the Association within 30 days of the date of termination. Archived records will be

maintained on site in the offices of the Woodfield Clubhouse under the custodianship of a designated Board officer.

3. For purposes of this policy, the term "records" shall include all governance related, financial, individual ledgers, enforcement records and policy records of the association.
4. Resident records shall be maintained for each property address. These records as well as any records kept in accordance with operation of the Association such as ACC documents are considered public information and are releasable to all members under 720.303. (4)(l). Official records must be maintained for a minimum of 7 years. This includes previous resident records which will be maintained for at least 7 years after departure. Redaction as noted above applies.
5. Under Florida State Statute 720.303 (4), the following official records shall be maintained at the Association's Property Management Company's business office or secured records room on site:
  - a. Articles of Incorporation, Bylaws, Declaration of Covenants and of any amendments to them — Permanent
  - b. Rules and Regulations — Current
  - c. Minutes of all Board Meetings — retained for 7 years
  - d. Roster of all members and their mailing addresses and parcel identifications — Current
  - e. Association Insurance policies or a copy thereof— retained for 7 years
  - f. Copy of contracts to which the association is party; plus, any bids received — current contracts, retain bids for 1 year
  - g. Financial and Accounting Records — retained for 7 years
  - h. Copies of any plans, specifications, permits, and warranties related to improvements constructed on the common areas — Permanent
  - i. Copy of disclosure summary described in s. 720.401(1) — Current
  - j. Written records related to the operation of the association — retained for 7 years.

#### **6.7 Records Access.**

1. All requests to inspect and/or copy information in the files must be in writing and shall state:
  - a. Name of the person or entity making the request,
  - b. A description of the records to which access is being requested, with sufficient specificity in the identification of the requested records so that the records can be located without speculation as to the record being sought.
  - c. A name and address to which a copy of the records should be sent, if copies are requested.
  - d. A list of 3 preferred meeting dates and times. Such dates and times shall be not more than 10 business days from the date of the request.

2. If a requested record contains both information subject to member access and information not subject to member access, access shall be granted to only those portions subject to member access. Any record or portion of a record not subject to member access will be removed.
3. The requestor shall reimburse the costs of copying records as listed on the Request for Records Form (See 6.9). There is no charge for only inspecting the records. Copies shall be available for pickup no more than 10 business days following the written request.
4. If any request for access to an Association record is denied by the POA or the BOD, whether the denial is by an actual denial being issued or by a response which is deemed to constitute a denial, the requestor may ask the Board to review the decision and order the records custodian to release the records.

**6.8 Other Policy Exceptions.** For any other exceptions not previously noted, the Manager, the Board President or the Board Secretary may grant exceptions to this policy. The remaining POA Board Members and the Manager shall be informed of the exception in advance of implementing the exception.

**6.9 Records Request Form.**

**Woodfield Property Owners' Association, Inc.**

**REQUEST FOR RECORDS**

To be sent by U.S. Postal Service Certified Mail, Return Receipt Requested to:

Elliott Merrill Property & Manager  
 2755 Woodfield Boulevard  
 Vero Beach, FL 32966

Name of Requestor (Please Print) \_\_\_\_\_ Date of Request: \_\_\_\_\_

Street Address \_\_\_\_\_ City, \_\_\_\_\_ State, \_\_\_\_\_ Zip \_\_\_\_\_

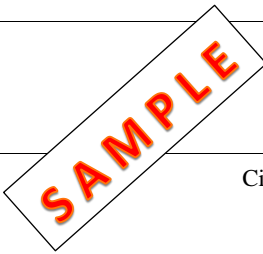
Home Phone \_\_\_\_\_ Work Phone \_\_\_\_\_ cell Phone \_\_\_\_\_

Description of Requested Record(s): \_\_\_\_\_

Address to mail copies if different from above: \_\_\_\_\_

Street Address \_\_\_\_\_ City, \_\_\_\_\_ State, \_\_\_\_\_ Zip \_\_\_\_\_

Request for appointment time(s) and date(s) \_\_\_\_\_  
 (Dates and Times shall be at least 3 business days but no more than 15 business days from the date of receipt of request).



By signing this request, I attest that I am a member of the Woodfield Association listed above and am entitled to access to official records of the Association and have a thorough understanding of the policy affecting this request. I also acknowledge understanding that there may be fees for this service at the current rate of \$0.10 per copy and a \$20 (Note this is the maximum permitted under 720.303(5) per hour management company administrative fee for requests requiring more than 30 minutes of administrative time.

Date		Signature of Member	
For Official			
Date Received:	Name of Recipient:		
Date Completed:	Number of Copies:	Fee(s) Charged:	Fee(s) Received/Date:

**THESE RULES AND REGULATIONS MAY BE AMENDED AT ANYTIME BY A MAJORITY VOTE OF THE WOODFIELD BOARD OF DIRECTORS.**