

**RiverGate
Homeowners
Association**

Policy manual

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RIVERGATE HOMEOWNERS' ASSOCIATION, INC.

A Florida Not for Profit Corporation

STATEMENT OF ASSOCIATION POLICY

SUBJECT: Pool and Cabana Rules

PURPOSE: To establish pool and cabana rules.

POOL HOURS: Sunrise to Sunset CABANA HOURS: Sunrise to 10:00 PM

BATHING LOAD: 33 (LEGAL LIMIT). CABANA CAPACITY: 150 (LEGAL LIMIT)

1. SWIM AT YOUR OWN RISK. NO LIFEGUARD ON DUTY.
2. Pool is for use by Rivergate residents and guests only. Trespassers will be prosecuted.
3. No more than 8 people per household at pool at one time. **
4. Children under the age of 16 must be accompanied by an adult.
5. Non-swimmers using swim aids must be accompanied by an adult at all times in the pool. Babies must wear swim diapers in the pool.
6. Residents or an adult representative must accompany their guests who will follow these rules.
7. No running, diving, skateboarding, disorderly or lewd conduct allowed.
8. No large rafts, surfboards, body boards or skimmers are permitted in the pool or pool area.
9. No glass, porcelain, pottery or other breakable objects of any kind allowed in pool or cabana area.
10. No food or drinks allowed in the pool. Chewing gum is not allowed in the pool or cabana area.
11. No cooking or grills of any kind are permitted in the pool or cabana area.
12. All functions allowed in the pool/cabana area must conform to the rules stated above. There will be no reserved events other than community social functions for the entire Rivergate community. The cabana is for the use of all property owners at all times, subject to the established rules.
13. Smoking in designated area ONLY.
14. Dispose of garbage and cigarettes in proper receptacles.
15. No pets, other than service animals, allowed in the pool area.
16. The volume level of radios and other sound-producing equipment must not disturb others in the pool area. Sounds produced by such equipment must not be audible more than fifty feet from the source. Ear buds or headphones are allowed.
17. Umbrellas are to be closed and chairs returned to original place after use.
18. **Any violation of these rules can result in loss of pool privileges for up to 90 days/ and a fine.**

FOR EMERGENCIES PLEASE CALL 911.

For management issues please call Vesta Property Services at 386-439-0134

Pool and Cabana rules are to be abided by all community residents.

Policy #001-2017 Revision, Revised October 2017

RIVERGATE HOMEOWNERS ASSOCIATION, INC.

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STATEMENT OF ASSOCIATION POLICY

SUBJECT : COMPLIANCE/ENFORCEMENT COMMITTEE PROCESS

PURPOSE : To establish protocol for the Compliance/Enforcement Committee regarding violations and fines.

Because documentation is vital in these processes, Management may not accept verbal or anonymous notification of a violation.

ARCHITECTURAL VIOLATIONS

1. Written notification of a perceived violation of RiverGate documents is received by Management.
2. Management notifies responsible owner of alleged violation, and seeks correction. If the owner corrects the violation, no further action is required.
3. If responsible owner disputes violation or refuses to correct, Management notifies the Enforcement Committee, in writing, of the alleged violation(s), and responsible owner's response.
4. Committee determines if they concur there is a violation requiring correction. If so, they direct Management to formally notify the responsible owner by registered mail, and provide the time frame allowed for correction (determined by the Committee).
5. If violation is corrected within allowed timeframe, no further action is required. If not, Management notifies Committee. Committee schedules a Hearing, and directs Management to notify the responsible owner of the time, date, and location of the Hearing, giving no less than 14 days notice. If the committee, by majority vote, does not approve fine or suspension, it may not be imposed.
6. Committee holds hearing, with or without responsible owner, and determines action to be taken, including fines up to \$100 per violation per day, not to exceed \$1000.
7. Committee directs Management to notify the responsible owner of action, and follow-up for compliance.

ALL OTHER VIOLATIONS ON THE COVENANTS, RESTRICTIONS AND BYLAWS OF THE ASSOCIATION

1. The Association may suspend, for a reasonable period of time, the rights of a member or a member's tenants, guests, or invitees, or both, to use common areas and facilities and may levy reasonable fines, not to exceed \$100 per violations, against any member or tenant, guest, or invitee. A fine may be levied on the basis of each day of a continuing violation, with a single 14 day notice and opportunity for hearing, except no such fine shall exceed \$1,000.

Further dispute over an unsettled violation is subject to arbitration as specified in the By-Laws, and, finally, court action, as specified in the Florida Statutes.

RIVERGATE HOMEOWNERS ASSOCIATION, INC.
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STATEMENT OF ASSOCIATION POLICY

- SUBJECT:** SUSPENSION OF SPECIAL PRIVILEGES TO DELINQUENT HOMEOWNERS
- PURPOSE:** To supplement the placement of liens on Homeowners with delinquent accounts by denying special privileges normally available to homeowners in good standing.
- STATEMENT:** Association privileges which are over and above those delineated in the Covenants and Restrictions and bylaws shall be withheld from homeowners in arrears once the "claim of lien" has been filed. These privileges include use of the pool.

RIVERGATE HOMEOWNERS ASSOCIATION, INC.
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STATEMENT OF ASSOCIATION POLICY

SUBJECT : MEETING PARTICIPATION

PURPOSE : To document Association policy relative to owner participation at meetings.

POLICY REGARDING PROPERTY OWNER PARTICIPATION AT ASSOCIATION MEETINGS OF RIVERGATE HOMEOWNER'S ASSOCIATION, INC.

1. BOARD AND COMMITTEE MEETINGS

A. Board and Committee Meetings Defined.

"Meetings of the Board of Directors" is hereby defined as a quorum of Directors gathered to discuss official Association business.

"Meetings of a Committee" is hereby defined as a quorum of committee members gathered to discuss the official business of the committee as set forth in the resolution creating the committee.

B. Attendance at Board and Committee Meetings.

Every property owner shall have the right to attend Board of Director meeting except as may be provided by law. Every property owner shall have the right to attend certain Committee Meetings as provided by law. No person, other than a property owner, is entitled to attend such meetings, except for persons invited or permitted to attend by the Board or Committee.

C. Participation at Meetings

Every property owner shall have the right to participate in meetings of the Board of Directors and Committees to the extent required and permissible under applicable law, subject to the following rules:

1. Statements by property owners at meetings shall be restricted solely to agenda items. No other statements shall be permitted except as may be authorized by the chairperson of the Board or Committee, in their sole discretion.
2. A property owner may speak only once on each agenda item and the owners statement shall not exceed three (3) minutes. The chairperson of the meeting shall give the floor to any property owner desiring to speak after the identification of the agenda item and prior to the discussion and vote of the Board or Committee upon the agenda item. After each owner has had the opportunity to speak, the chairperson shall announce that owner statements are concluded thereby ending owner discussion on that agenda item.
3. Property owners may not make or second motions, may not participate in discussions after owners discussion is concluded on that subject, and may not vote.

II. PROPERTY OWNER MEETINGS

A. Property Owner Meetings Defined.

"Meeting of the property owners" is defined as a quorum of property owners gathered to discuss official Association business.

B. Property owners shall have the right to attend and speak at meetings subject to the following rules:

1. Statements made by property owners at meetings shall be restricted solely to agenda items and other matters that may properly come before a lot owner meeting.
2. A property owner will be permitted to speak only once on each agenda item or any other topic properly before the membership, and the owner's statement shall not exceed three (3) minutes. The chairperson of the meeting shall open the floor to property owner's statements after the identification of the agenda item, and prior to the vote of the owner's upon the agenda item.

III. ROBERTS RULES OF ORDER

- ### **A. Shall be applicable to and govern all Association meetings when not in conflict with the Declaration of Covenants, the Articles of Incorporation and the Bylaws of the Association, or rules, policies and procedures adopted from time to time by the Board of Directors.**

IV. ENFORCEMENT OF MEETING RULES

A. Ejection

1. Any person not authorized by law or permitted by the Board of Directors to attend a meeting shall be prohibited from attending the meeting or ejected therefrom.
2. Any property owner who fails to comply with these rules shall be subject to ejection in the sole discretion of the Chairman. The Chairman shall give any non-complying person one warning regarding ejection and thereafter may call for immediate rejection of that person.
3. The Chairman of the meeting may appoint a sergeant of arms who at the direction of the Chairman shall either remove the unauthorized person or contact a law enforcement representative to remove such person.

B. Legal Action

The Board of Directors may take whatever action which is appropriate at

Law or in equity against any person who fails to comply with these rules.

RIVERGATE HOMEOWNERS ASSOCIATION, INC.
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STATEMENT OF ASSOCIATION POLICY

SUBJECT : HOMEOWNERS ASSOCIATION DOCUMENTS

PURPOSE : To document Association policy relative to all owners and tenants receiving a copy of the association documents.

**RIVERGATE HOMEOWNERS ASSOCIATION, INC.
POLICY #005
HOMEOWNERS DOCUMENTS**

I _____ have received a copy of the RiverGate Homeowners Documents this
Tenant/Owner Name (print)

_____ day of _____ 2011.
Day Month

I understand that it is my responsibility to read and abide by these documents while living in the RiverGate community. I also understand that if there is anything that I do not understand that I should contact Preferred Management Services offices at (386) 439-0134 for clarification.

**FOR MANAGEMENT ISSUES PLEASE CALL
PREFERRED MANAGEMENT SERVICES, INC. AT 386-439-0134
411 South Central Avenue, Suite B
Flagler Beach, FL 32136**

Tenant/Owner Signature

Date

Tenant/Owner Name (print)

Policy# 005, 06/09

**RIVERGATE HOMEOWNER ASSOCIATION, INC.
A FLORIDA NOT FOR PROFIT CORPORATION**

STATEMENT OF ASSOCIATION POLICY

- SUBJECT :** DOCUMENTING ASSOCIATION POLICIES
- PURPOSE :** The purpose of Policy Statements is to assure consistency of practice and procedure from one board to another. This Statement of Association Policy” provides the requirements to document, maintain and control “Statements of Policy”.
- STATEMENT:** All policies which have been properly approved by the Board shall be documented in a format similar to this Policy Statement. The policies shall be numbered sequentially and shall be maintained in an “Association Policy Manual” by the Secretary of the Board of Directors.
- A Policy Statement is established to guide future actions of the Board of Directors and shall be available for examination by Association Homeowners upon request. They may be revised or modified by the Board of Directors and shall not conflict with other higher priority Association Documents.

RIVERGATE HOMEOWNERS ASSOCIATION, INC.
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STATEMENT OF ASSOCIATION POLICY

- SUBJECT : KEEPING OF DOGS, CATS AND OTHER DOMESTICATED
HOUSEHOLD PETS
- PURPOSE : IN ORDER TO MAINTAIN AND PRESERVE THE PEACE AND
TRANQUILITY OF THE NEIGHBORHOOD
- STATEMENT :
1. Keeping and breeding of the above household pets for
commercial purposes are prohibited.
2. All such animals shall be leashed and prohibited from roaming
at large beyond the confines of their owner's property.
Animals are not permitted at the Pool. This restriction does
not apply to licensed "help" dogs.
3. All owners must keep their pets from making such noises as
to disturb others.
4. Owners must use a pooper-scooper or other similar material
to pick up after their pets.

Whereas, the Association finds that dangerous dogs and attacks against persons and domestic animals by them are in part attributable to the failure of owners to confine, properly train and control their dogs; and

Whereas, the Association desires to maintain a safe and healthy environment for the residents of RiverGate but without undue restriction on the residents.

Now therefore, be it resolved that any dog or dog owner found to be in violation of Chapter 767 Florida Statutes (the "Dangerous Dog Act") shall be liable for any injury as provided by Florida Law.

Residents of Rivergate are hereby discouraged from owning or keeping within the RiverGate Community any dog that might be considered dangerous under Florida Law, including but not limited to any dog listed as "uninsurable" by the casualty insurance carriers licensed to do business in the State of Florida.

A full list of the above mentioned dogs may be found at the following website:
<http://www.bankrate.com/finance/insurance/11-dogs-that-could-raise-your-insurance-costs.aspx>.

RIVERGATE HOMEOWNERS ASSOCIATION, INC.
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STATEMENT OF ASSOCIATION POLICY

- SUBJECT : RETENTION PONDS (LAKES) NOT TO BE USED FOR OTHER PURPOSES
- PURPOSE : FOR THE SAFETY OF ALL
- STATEMENT : The pond serves as a retention area for water runoff and shall not be used for any other purpose. No boats, jet skis, sail boats, toys, floats or any similar flotation apparatus are permitted on the ponds. There is also no swimming, fishing or other water sports or activities permitted.

Policy# 008

RIVERGATE HOMEOWNERS ASSOCIATION, INC.
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STATEMENT OF ASSOCIATION POLICY

- SUBJECT : SIGN CONTROL ON ASSOCIATION COMMON PROPERTY
- PURPOSE : To document Association policy relative to placement of signs on Common Property
- STATEMENT : "No sign of any type will be permitted on Association owned Property, including but not necessarily limited to: Political Signs, Garage Sale Signs, Open House Signs and For Sale Signs".

Policy# 009

RIVERGATE HOMEOWNERS ASSOCIATION, INC.
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STATEMENT OF ASSOCIATION POLICY

SUBJECT : GARAGE SALES

PURPOSE : To document Association policy relative to garage, yard or driveway sales.

STATEMENT : No garage, yard or driveway sales are permitted by individual homeowners.

POLICY #010- 2/16/11

RIVERGATE HOMEOWNERS ASSOCIATION, INC.
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STATEMENT OF ASSOCIATION POLICY

- SUBJECT : RETENTION POND
- PURPOSE : To document Association policy relative to activity in or around the retention pond.
- STATEMENT : The retention pond is not a recreation area but is part of the community drainage system as permitted by the St. John's River Water Management District. No person is permitted to play, dig, swim or other recreational activity in or around the pond area.

RIVERGATE HOMEOWNERS ASSOCIATION, INC.
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STATEMENT OF ASSOCIATION POLICY

SUBJECT: RECORD INSPECTION POLICY

STATEMENT:

ALL RECORDS OF THE HOMEOWNERS ASSOCIATION ARE AVAILABLE TO ASSOCIATION MEMBERS WITH THE EXCEPTION OF THOSE RECORDS EXCLUDED BY FLORIDA STATUTE.

THE OFFICIAL RECORDS OF THE ASSOCIATION ARE OPEN TO INSPECTION AND ARE AVAILABLE FOR PHOTOCOPYING BY THE MEMBERS. IF A COPY MACHINE IS AVAILABLE AT THE SITE OF THE INSPECTION PHOTOCOPIES WILL BE MADE AVAILABLE UP TO 25 PAGES AND AT THE COST OF .50 PER PAGE.

IN THE EVENT THE REQUEST EXCEEDS 25 PAGES AND THE MANAGEMENT FIRM CAN PROVIDE THE COPIES THE COST REMAINS .50 PER PAGE. IF THE MANAGEMENT FIRM IS UNABLE TO PROVIDE THE COPIES IN EXCESS OF 25 PAGES THE COPIES WILL BE MADE BY AN OUTSIDE VENDOR. THIS COST WILL BE CHARGED BACK TO THE MEMBER REQUESTING THE COPIES.

EACH OWNER MAY MAKE A REQUEST TO INSPECT THE RECORDS OF THE ASSOCIATION UP TO ONE EIGHT HOUR BUSINESS DAY PER MONTH. SUCH REQUEST WILL BE AUTHORIZED WITHIN TEN BUSINESS DAYS AND DURING THE OFFICE HOURS OF THE MANAGEMENT FIRM.

POLICY# 012- APPROVED 9/21/11

RIVERGATE HOMEOWNERS ASSOCIATION, INC.
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STATEMENT OF ASSOCIATION POLICY

- SUBJECT : IRRIGATION INSPECTIONS
- PURPOSE : To document Association policy relative to landscaping irrigation inspections and altering timers.
- STATEMENT : The association landscape company will do irrigation inspections on all properties every month and set all timers according to the St. John's River Water Management District and the University of Florida watering guidelines. Owners may not opt of the irrigation program and any owner altering times may be subject to fines

RIVERGATE HOMEOWNERS ASSOCIATION, INC.
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STATEMENT OF ASSOCIATION POLICY

- SUBJECT : RENTAL OF PROPERTY
- PURPOSE : To document Association policy relative to rental of house and surrounding property.
- STATEMENT : The association requires any owner who rents the house to complete, sign and submit to management the tenant approval form at least ten days in advance. A copy of the lease, proof of registering with the City of Palm Coast and a set of signed pool rules must be submitted. Should an owner fail to submit the materials within 14 days of the rental, their name will be submitted to the city and they may be subject to a fine from the association.