

Hills of Minneola Community Development District Common Areas Policies

December 9, 2024

Definitions

“Board” shall mean the Board of Supervisors of the District.

“Field Operations Manager” – shall mean the person or firm so designated by the Board to manage the District’s common areas.

“District” shall mean the Hills of Minneola Community Development District.

“District Manager” shall mean the professional management company with which the District has contracted to provide management services to the District.

“District’s website” – shall mean <https://hillsofminneolacdd.net/>

“Guest” shall mean any individual who is invited by a Patron and must be accompanied to use the Recreational Property by a Patron.

“Patron” shall mean Residents and Tenants, including and members of the households of any of the foregoing.

“Recreational Property” shall mean the properties and areas owned by the District intended for recreational use or ancillary to recreational areas, including but limited to, the playground, parks and common areas with green space, and parking lots.

“Resident” shall mean any person, spouse, or registered domestic partner of a person or family owning property within the District.

“Tenant” shall mean any tenant residing in a Resident’s home pursuant to a valid rental or lease agreement.

Enforcement of Policies

The Board, the District Manager, and the Field Operations Manager shall have full authority to enforce these policies and shall have the authority to waive strict application of any of these policies when prudent, necessary, or in the best interest of the District and its Patrons and their Guests. Such a temporary waiver of any policy shall not constitute a continuous, ongoing waiver of said policy.

Use of Recreational Property at Your Own Risk

Patrons and their Guests are welcome to enjoy the Recreational Property at their own risk and pursuant to the District's policies. The District does not provide on-site staff dedicated for the purpose of monitoring the use of the Recreational Property or safety of the Patrons or their Guests. The District will not accept responsibility for any injuries from the use of the Recreational Property or damage or theft of personal property. The District assumes no liability for any theft, vandalism and/ or damage that might occur to personal property.

Persons interested in using the Recreational Property are encouraged to consult with a physician prior to commencing a physical fitness program.

Designation of Tenant to Use Resident's Privileges

1. Residents who rent or lease out their home shall have the right to designate the Tenant of their home as the beneficial users of the Resident's privileges for purposes of Recreational Property use.
2. A Tenant who is designated as the beneficial user of the Resident's privileges shall be entitled to the same privileges to use the Recreational Property as a Resident.
3. During the period when a Tenant is designated as the beneficial user, the Resident shall not be entitled to use the Recreational Property.

Guests

Each Patron household may bring no more than 2 persons as Guests to the Recreational Property at one time.

1. Infants, 1 year old and younger, do not count towards the maximum guest total.
2. Patrons that are 15-17 who are visiting without a Patron at least 18 years of age may only bring 1 Guest that is at least 15 years of age or older.

General Policies

1. The Board reserves the right to amend, modify, or delete, in part or in their entirety, these policies at a duly-noticed Board meeting and will notify the Patrons of any changes by posting such new policies on the District's website. However, in order to change or modify rates or fees beyond any increases that may be specifically allowed for by the District's policies, the Board must hold a duly-noticed public hearing.
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2. All Patrons and their Guests shall abide by and comply with any and all federal, state, and local laws and ordinances while present at or utilizing the Recreational Property and shall ensure that any minor for whom they are responsible also complies with the same.
3. All Patrons and their Guests using the Recreational Property are expected to conduct themselves in a responsible, courteous, respectful, and safe manner, in compliance with all District policies governing the Recreational Property. Violation of the District's Policies and/or misuse or destruction of Recreational Property equipment may result in the suspension or termination of privileges with respect to the offending Patron in accordance with the policies set forth herein.
4. Upon the District's insurance carrier's recommendation to ensure that the District mitigates children's exposure to injury, children under 15 years of age must be accompanied by a parent, guardian, or adult Patron, 18 years of age or older. This policy is meant to follow the sound public policy and determination of appropriate age for minors to assume responsibility for their actions in accordance with the State of Florida's requirements for obtaining a Florida's learner's permit.
5. Patrons or their Guests shall not bring, serve, or consume alcoholic beverages at the Recreational Property.
6. The Recreational Property are available for use by Patrons and their Guests during normal operating hours to be established and posted by the District.
7. Outdoor grilling is prohibited unless at a pre-approved special event.
8. Patrons and Guests are responsible for cleaning up after themselves and disposing of trash in appropriate containers.
9. Patrons are responsible for any damage, contamination, pollution, or other such action they or their Guests cause to District property and will be responsible for the costs associated with repairing, treating, remediating, or fixing such District property, including any professional or legal fees.
10. Patrons are responsible for any and all actions taken by any of their Guests. Violation by a Guest of any of these policies as set forth by the District could result in loss of the privileges of that Patron.
11. All Patrons and their Guests may be required to present a valid government issued identification card in order to gain access to the Recreational Property.
12. Off-road motorbikes/vehicles (including ATVs and motorized scooters) are prohibited on all property owned, maintained and operated by the District including, but not limited to, the Recreational Property.
13. Skateboarding and rollerblading are not permitted on all property owned, maintained and operated

by the District including, but not limited to, the Recreational Property.

14. Animals must be leashed, restrained, or in appropriate carriers and never left unattended. The animals should have all applicable vaccinations and the Patron must present of such records if requested. Patrons must clean up after their animals and not allow them to dig up or damage District property. Patrons are legally responsible for their animals and injuries caused by them.
15. There is no trespassing allowed in all designated wetland conservation and/or mitigation areas. Trespassers will be reported to the local authorities.
16. Loitering (the offense of standing idly or prowling in a place, at a time or in a manner not usual for law-abiding individuals, under circumstances that warrant a justifiable and reasonable alarm or immediate concern for the safety of persons or property in the vicinity) is not permitted.
17. Fireworks of any kind are not permitted anywhere at or in the Recreational Property or adjacent areas; however, notwithstanding this general prohibition, the Board may approve the use of fireworks over a body of water.
18. No signage or advertisements shall be posted or circulated within the Recreational Property or other District property.
19. The Recreational Property shall not be used for commercial purposes without written permission from the District Manager or Field Operations Manager. The term “commercial purposes” shall mean those activities which involve, in any way, the provision of goods or services for compensation or advertising. Any use of the Recreational Property on a regular basis for commercial purposes must be presented to the Board and if approved an agreement will need to be signed and appropriate certificate of insurance may be required.
20. No vendor, operator, or contractor (Food trucks, bounce house, DJ, fitness instructor, etc...) may operate at the Recreational Property unless approved in advance by the District in writing.
21. The District Manager or Field Operations Manager have the right to authorize all programs and activities, including the number of participants, usage of equipment and supplies etc., at the Recreational Property, except with respect to user and rental fees that have been established by the Board. The District Manager or Field Operations Manager also have the right to authorize management sponsored events and programs to better serve the Patrons, and to reserve any Recreational Property for said events (if the schedule permits) and to collect revenue for those services provided. This includes, but is not limited to, various athletic events, cultural programs and social events. Should the District be entitled to any of these revenues based on its established rental or usage fees, the District Manager will coordinate the compensation from such programs or events to the District accordingly.
22. For any emergencies, please call 911. Afterwards please report all emergencies and injuries to the Field Operations Manager as well as the District Manager via the contact information on the District’s website.
23. All malfunctioning or broken equipment should immediately be reported to the District Manager.
24. No person shall remove or relocate any piece property in the Recreational Property that belongs to

the District and/or their vendors and contractors, without prior written authorization.

Playground, Parks, and Common Areas with Green Space Policies

1. Proper footwear and clothing are required. Loose clothing, especially with strings, is prohibited.
2. Mulch must not be picked up, thrown, or kicked for any reason.
3. No food, drinks, or gum are permitted in play areas.
4. No glass containers are permitted.
5. No jumping off from any climbing bar or platform.
6. Profanity, rough-housing, and disruptive behavior are prohibited.
7. No permanent or temporary improvements can be installed or placed upon the grounds.

General Parking Policies:

1. There should be no parking of vehicles on any District property except for on the Parking Lot.
2. Vehicles must not be parked in any way which blocks the normal flow of traffic, or in any way that limits the ability of emergency service workers to respond to situations.
3. Unless authorized in writing by the District, only vehicles that can fit in a standard parking space are permitted to park in the Parking Lot.
 - a. No commercial vehicles (other than vendors currently servicing the District), RVs, boats, trailers, moving trucks, or oversized vehicles are permitted.
4. The Parking Lot is only intended for the parking of vehicles operated by Patrons using the Recreational Property during hours of operation or visiting the mail kiosk.
5. Vehicles should not be parked more than 3 hours in the Parking Lot.
6. The District does not provide any security or monitoring for the Parking Lot and assumes no liability for any theft, vandalism and/ or damage that might occur to personal property and/or to such vehicles.
7. No overnight (between 10:00 pm and 6:00 am) parking is permitted.
8. All vehicles must have valid and proper license plates and registration affixed to their vehicles. Unregistered vehicles may be reported to license inspectors or law enforcement as a violation of Section 320.02, Florida Statutes. Additionally unregistered vehicles may be considered to have been abandoned and reported to law enforcement or code enforcement.
9. Unauthorized parking may result in being towed or reported to the local authorities for trespassing.
10. These policies are in addition to, and exclusive of, various state laws, county regulations, or homeowners' association standards governing parking.

Towing Policies:

1. Any vehicle that is parked on District property or the Parking Lot in violation of this policy or applicable regulatory requirements may be towed, at the sole expense of the owner, in accordance with applicable laws and regulations (including Section 715.07, Florida Statutes).
2. The District shall keep a logbook of all violations of the District's parking restrictions.
3. Upon discovery of a first-time violation:
 - a. an Authorized Representative shall affix a warning to the vehicle.
 - i. The warning shall include the date, time, location, violation, and a notice that if the vehicle is still in violation within 24 hours it shall be subject to towing.
 - b. an Authorized Representative shall take a picture evidencing the warning and the violation.
 - c. then an Authorized Representative shall enter the relevant information (including but not

- limited to the make, model, color, and license plate) in the logbook and provide the picture to the District's records custodian.
- d. If an Authorized Representative finds that the vehicle remains in violation after 24 hours of the warning, they shall:
 - i. take a picture evidencing the failure to move the vehicle
 - ii. enter the relevant information in the logbook and provide the picture to the District's records custodian.
 - iii. then provide authorization for the Towing Operator to commence towing for only the reported violation and not to patrol for other violations.
4. Upon discovery of a subsequent violation within 2 calendar years of a first-time violation:
- a. an Authorized Representative shall take a picture evidencing the unauthorized parking
 - b. enter the relevant information in the logbook and provide the picture to the District's records custodian.
 - c. then provide authorization for the Towing Operator to commence towing for only the reported violation and not to patrol for other violations.

Natural Areas Policy Statement

The following is the policy statement of the District as it regards the natural buffer areas, community buffers, or environmentally sensitive areas that are scattered in large numbers throughout the Community. This policy statement is consistent with the policies of other governmental entities including the City of Minneola, Lake County, the Water Management District, and the State of Florida as it regards to natural upland and wetland conservations/preservations areas.

The natural areas are not intended to be maintained. These areas are to be left untouched to allow for nature to take its normal course. Any vegetation that dies or is damaged by storms or other “acts of God” is to remain in its existing configuration within these areas to fulfill its role in nature’s process.

Trees, within or immediately adjacent to these areas that have died and appear to pose a threat of falling and damaging an abutting property owner’s property may be addressed by the abutting property owner. The abutting property owner must initially contact the District Manager to assess the threat. Any subsequent trimming and/or removal, if warranted/permitted by the appropriate governing entity shall be done at the expense of the abutting property owner. The goal is to prohibit or minimize disturbance to these areas.

In the event that a tree does fall onto another’s property, that property owner has the right to cut back or “limb” the tree, as necessary to their individual property line. The rest of the tree is to be left alone. Notwithstanding, removal of native vegetation within and immediately surrounding these areas is discouraged and may be restricted or prohibited by the City of Minneola, Lake County, and ultimately the Water Management District to protect the upland/wetland area or water body. Ultimately, except as noted above, no one is allowed to encroach into the natural areas for any reason, from maintenance to placement of personal property of any kind.

Common Areas Maintenance and Erosion Policy

The Common Areas provide many benefits to the District including wildlife habitat areas, natural aesthetic views, wetland recharge areas, and stormwater drainage areas. The District maintains these areas in accordance with all applicable environmental laws and regulatory permits (in some cases these areas are not intended to be maintained and are left in their natural state).

If the District Engineer determines that erosion of the Common Areas is caused by a homeowner lot, the homeowner shall bear the responsibility to fix any issues. If the District Engineer determines that erosion of a homeowner’s lot is caused by District owned property then the District shall bear the responsibility to fix any issues.

The District does not maintain private property within the community. Residents are prohibited from disturbing or altering the trees and vegetation in these areas without written permission from the District.

Common Area Event Application with Policies

1. A group of 8 or more is considered a party. A minimum of 7 days advance notice must be given by the resident to host a party. (Maximum of 25 attendees)
2. Parties are limited to 1 per day and scheduled on a first come first served basis.
3. Parties may not exceed 3 hours and must end prior to the closing time. You are allowed 30 minutes prior to start time of your party to setup.
4. Patrons will be given a written list of park policies with their application. Patrons and their guests will be expected to follow these policies.
5. Patrons and their guests will be expected to clean up after their party.
6. Loud music is not permitted.
7. An approved "party" does not allow exclusive use.

Name of Patron: _____

Address of Resident: _____

Home Phone: _____ Mobile Phone: _____

Email: _____

Date of Party: _____ Time of Party: _____

Number of Invited Guests: _____

Signed by Patron _____ Date _____

Permission Given By _____ Date _____

**Hills of Minneola Community Development District reserves the right to change, modify or transfer this agreement without notice as allowed by law.*

Suspension and Termination of Privileges

1. **Violations.** The privileges of a Patron to use the Recreational Property may be suspended or terminated if the Patron engages in any of the following behavior:
 - a. Submits false information on any application for use of the Recreational Property.
 - b. Exhibits unsatisfactory behavior or appearance.
 - c. Fails to pay fees or assessments owed to the District in a proper and timely manner.
 - d. Fails to abide by any policies established for the use of the Recreational Property or other policies of the District.
 - e. Treats the District's supervisors, contractors, other representatives, or other Patrons, in an unreasonable or abusive manner.
 - f. Damages or destroys District property.
 - g. Engages in conduct that is improper or likely to endanger the welfare, safety, harmony or reputation of the District, or its supervisors, staff, management, contractors, other representatives, or other Patrons.
2. **Documentation of Violations.** The Field Operations Manager or District Manager shall record all violations, including repeat violations, on written incident reports and shall include the date, time, name of the parties involved, and nature of the violation. The Field Operations Manager shall file such report with the District Manager within 24 hours of the incident. The District Manager shall maintain all records in accordance with public record laws.
3. **Suspension by the Field Operations Manager or District Manager**
 - a. The Field Operations Manager or District Manager may at any time suspend a Patron's privileges to use the Recreational Property for committing any of the violations outlined above.
 - b. The Field Operations Manager or District Manager shall ask the Patron to leave the Recreational Property immediately and shall call local law enforcement for assistance if the Patron fails to comply with the request.
 - c. Such suspension shall be for a maximum period of 30 consecutive days.
 - d. In determining the length of any suspension, the Field Operations Manager or District Manager, shall take into account the nature of the conduct and any prior violations.
4. **Longer Suspension or Termination of Privileges by the Board.**
 - a. The Field Operations Manager or District Manager may recommend to the Board, or the Board on its own initiative may elect to consider, a longer suspension or termination of a Patron's privileges for committing any of the violations.
 - b. At least 7 days prior to any Board meeting where a longer suspension or termination is to be considered, the District shall send written notice of the meeting by United States mail to the Patron's last known address.
 - c. The Board may take any action deemed by it in its sole discretion to be appropriate under the circumstances to address the violations, including imposing a longer suspension or permanent termination of a Patron's privileges to use the Recreation Property.
 - d. In determining the appropriate action to be taken, the Board shall take into account the nature of the violation and any prior violations.
5. **Trespass.** If a Patron subject to a suspension or termination is found on the premises, such Patron may be subject to arrest for trespassing.

6. Appeal of Suspension

- a. A Patron subject to a suspension may appeal the suspension to the Board by filing a written request for an appeal, which written request shall be immediately sent to the District's Chairperson with a copy to the District Manager.
- b. The filing of a request for an appeal shall not result in the stay of the suspension.
- c. The District shall consider the appeal at its next Board meeting and shall provide reasonable notice to the Patron of the Board meeting where the appeal will be considered.
- d. At that meeting, the Board shall allow the Patron to appear and present statements and/or evidence on the Patron's behalf, subject to any reasonable restrictions that the Board may impose.
- e. The Board may take any action deemed by it in its sole discretion to be appropriate under the circumstances, including affirming, overturning, or otherwise modifying the suspension, to address the appeal and any violations.
- f. In determining the appropriate action to be taken, the Board shall take into account the nature of the violation and any prior violations.