

FOREST CREEK

COMMUNITY DEVELOPMENT DISTRICT

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COMMUNITY DEVELOPMENT DISTRICT

DISTRICT FACILITIES & COMMON AREAS

RULES & POLICIES

February 1st, 2024

**FOREST CREEK COMMUNITY DEVELOPMENT DISTRICT
RULES AND POLICIES**

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**FOREST CREEK COMMUNITY DEVELOPMENT DISTRICT
RULES AND POLICIES**

INTRODUCTION

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The purpose of this document is to consolidate Forest Creek Community Development District (CDD) Rules and Policies for use of District Facilities and Common Areas into a single document.

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Forms referenced in this document are available on the District website at

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<https://www.forestcreekcdd.org/forms>.

FOREST CREEK COMMUNITY DEVELOPMENT DISTRICT RULES AND POLICIES

DEFINITIONS

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"Bathing load" means the maximum number of persons allowed in the pool or spa at one time.

"Board of Supervisors" or "Board" – shall mean the Forest Creek Community Development District Board of Supervisors.

"Conservation Easements" – means conservation areas, wetlands, and/or preserves as defined by the DCCRs, ordinances or plats.

"Designated Patron" – Means a person other than the Owner who is entitled to sole beneficial use of the District Facilities, as described herein. Owners who rent or lease residential unit(s) in the District shall have the right to designate the renter of the residential unit(s) and their family members living in the residence, as the sole beneficial users of the owner’s privileges to use District Facilities. A renter who is so designated shall be considered a "Designated Patron" for the purpose of District Rules and Policies. During the period when a renter is the Designated Patron, the owner is not entitled to use of District Facilities or Common Areas. See "Owner", "Residential Renters/Lessees" and "Patron".

"District" – shall mean the Forest Creek Community Development District (also referred to as "CDD"). Established March 8th, 2005, the District is an independent unit of local government created in accordance with the Uniform Community Development District Act of 1980, Chapter 190, Florida Statutes (the "Act"), as amended, and by Manatee County Ordinance Section 2-8-33 (the "Ordinance") enacted on March 1, 2005, and effective on March 8, 2005.

"District Parties" or "CDD Parties" – means and includes all supervisors, officers, agents, staff, managers, employees, engineers, attorneys, District Manager, District Counsel, District Engineer, volunteers, representatives, successors, and assigns.

"District Facilities" or "Common Areas" – means and includes all District owned, operated, and/or maintained property described in the Declarations of Covenants Conditions and Restrictions for Forest Creek or any phase thereof, as amended ("DCCRs") and the plats for Forest Creek recorded in the public records of Manatee County. This includes all tracts and property dedicated by plat to the District. See the table 1 below for a list of the primary District Facilities and Common Areas. Only Patrons, including Designated Patrons, and authorized guests are permitted use of District Facilities or Common Areas in accordance with these rules and policies.

DISTRICT FACILITIES & COMMON AREAS		
Clubhouse and Restrooms	Pool and spa facility	Fitness Center
Conservation Areas	Playground	Dog Parks
Trails, Bridges & Benches	Pier and Gazebos	Security Systems
Ponds/Lakes	Roads* and Storm Drains	Entry Monuments/Fencing
Vehicle & Pedestrian Gates	Traffic, Street, and Information Signs	Streetlights & Landscape Lighting
Sidewalks	Irrigation Distribution System	Stormwater Control System
Developer Installed Fencing	Landscaping	Main Lake Flagpole & Light
COMMON AREAS DEDICATED BY PLAT TO THE CDD CAN BE FOUND AT https://records.manateeclerk.com/PlatRecords and searching for "Forest Creek"		
* Does not include HOA owned alleyways		

FOREST CREEK COMMUNITY DEVELOPMENT DISTRICT RULES AND POLICIES

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Table 1 District Facilities and Common Areas

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“District Manager” – The primary management point-of-contact for the professional management company the District has contracted to provide management services to the District. The company and District Manager are designated by a CDD Resolution. Contact information is available on the District’s website.

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“Fiscal Year” – The District’s fiscal year is 1 October to 30 September.

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“Gate Call Boxes” – Call boxes at the US301 gate and Major Turner gate are for vehicle access without a gate sticker. Four-digit call box access codes may be changed from time-to-time by the Board.

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“Gate Sticker” – A gate sticker that is attached to the windshield of the vehicle which opens any of the four gates into Forest Creek. Gate stickers are available for purchase from the Operations Manager.

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“Guest” – Patrons (as defined herein) may invite guests to use District Facilities and Common Areas. Guests must be always accompanied by a Patron and is limited to a maximum of five (5) at any one time per each Patron or a maximum of ten (10) per Patron household. Patrons are responsible for all guest’s behavior and compliance to all District’s Rules, Policies and Regulations.

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“Key Fob” – The key fob is an electronic device which unlocks the Clubhouse doors, gate to the pool/spa, door to the Fitness Center, and restrooms. Key Fobs are available for purchase from the Operations Manager.

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“Loitering” – shall mean a person or persons who remain in an area within or near the District for no obvious reason, including under circumstances that may cause concern for the safety of persons or property in the vicinity. The District may refer loitering to the appropriate authorities.

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“Mobile Food Vendors” – shall mean a free-standing food vendor sponsored by a Patron via a District Facility Reservation. Mobile Food Dispensing Vehicles (food trucks, ice cream trucks, etc.) and Hot Dog Carts require licensure by Florida Department of Business and Professional Regulations, Division of Hotels and Restaurants. The sponsoring Patron must complete the Reservation request form (forms are on the District website) for the clubhouse parking prior to the event and provide the District with a copy of the Vendor’s Certificate of Insurance naming the district as an Additional Insured, preferably with limits of liability at least equal to the District’s. Mobile Food Vendors are restricted to the clubhouse parking lot and the event must be open to all Patrons. Vendors are not to block either entrance, drive aisles, access to the clubhouse or handicapped parking spaces. Vendors cannot provide alcohol. Vendors are to remove their own trash. The sponsoring Patron is responsible for any cleanup of the area. Operations Manager will ensure the event is posted on the District’s event calendar.

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“Non-Resident Access Fee: – The fee established by the Board for nonresidents seeking to use District Facilities. The fee will be established by Resolution. For the purpose of these rules, a Non-Resident is considered a Patron when the access fee is paid in full. (see “Patron” below)

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“Operations Manager” – the on-site employee of the District’s professional management company. The Operations Manager’s office is located within the clubhouse and days/hours are posted outside the office. Contact information is available on the District’s website.

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“Owner” – shall mean the legal record owner of property within the District. An Owner is authorized to use the District Facilities and Common Areas by payment of the annual CDD non ad-valorem assessment . Such payment must be made in accordance with the District’s annual assessment collection resolution and typically will be included on the owner’s property tax bill. Payment of the annual assessment entitles either the Owner and their family, or (the Owner’s Designated Patron and their family to use District Facilities and amenities.

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“Patron” – shall mean an authorized user of District Facilities and Common Areas. Patrons include the following:

FOREST CREEK COMMUNITY DEVELOPMENT DISTRICT RULES AND POLICIES

- 104 a. "Owners" – includes record property owners and their family members residing within the District,
105 b. "Designated Patrons" - includes tenants and lessees of record owners and their family members residing
106 within the District,
107 c. Non-Resident Users – includes any person who has paid the annual access fee - and the family members
108 residing with the non-resident.

109 See "Owner" and "Designated Patron". On a case-by-case basis, pursuant to the Resolution of the Board, the
110 Board may suspend a Patron's authorization to use any or all District Facilities or Common Areas due to
111 infractions or non-payment for damages.

112 "Pool/spa Facility" – shall mean the recreational area within the access-controlled perimeter (fence and
113 clubhouse doors) enclosing the pool, spa, grill area, and cabanas.

114 "Rental" – Rental of the clubhouse is required when a Patron seeks to host an event that is not open to all
115 Patrons. Patrons will request rentals through the Operations Manager. Note, the pool/spa facility, fitness
116 center, basketball court or any common area are NOT available for Rental. The Rental Form can be found on
117 the District website.

118 "Reservation" – Reservation of the clubhouse is required when a Patron seeks to host an event of six (6) or
119 more attendees where the clubhouse will remain open to all Patrons during such event. Patrons will request
120 reservations through the Operations Manager. Note, the pool/spa facility, fitness center, basketball court
121 nor any common area is not available for reservation. The Reservation/Rental Form can be found on the
122 District website.

123 "Recurring Reservations" – Reservations for recurring (monthly) events can be reserved on a single
124 application with a single deposit provided it is the same Sponsoring Patron for each event. Changes in the
125 Sponsoring Patron will require a new application and deposit. Deposits are refunded, less damages and
126 cleanup costs, to the Sponsoring Patron when the recurring reservation expires or is withdrawn.

127 "Resident" – shall mean a legal resident within the District.

128 "Renters/Lessees" – A renter/lessee is a person who has rented or leased a property within the District
129 from an Owner. The renter/lessee will be required to provide proof of residency in the District and
130 complete a landlord-tenant agreement form to purchase gate stickers or Key Fobs, at which time the
131 renter/lessee shall be considered a "Designated Patron". Owners are responsible for the department of
132 their respective renters/lessees, and responsible for renter/lessee's adherence to all District rules and
133 policies as the Board may adopt from time to time. The agreement form can be found on the District
134 website.

135 "Wet deck area" - means the 4-foot-wide unobstructed pool deck area around the outside of the pool and
136 spa water perimeter, curb, ladders, handrails, or water features.

**FOREST CREEK COMMUNITY DEVELOPMENT DISTRICT
RULES AND POLICIES**

DISCLAIMER, INDEMNIFICATION AND RELEASE

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The rules and regulations listed herein are in addition to applicable state laws, county ordinances, and homeowners’ association (HOA) DCCR’s and rules and regulations. To the extent there is any conflict between these rules and regulations and state law, county ordinances, or other applicable law (collectively, “Laws”), the Laws shall prevail. To the extent there is any conflict between these rules and regulations and any rules of the HOA, these rules and regulations prevail.

The District and all District Parties) shall not be liable for, and all users and Patrons of the District Facilities or Common Areas, as a condition of their use of the District Facilities and Common Areas, for themselves and their guests, hereby release and agree to indemnify, defend, and hold harmless the District Parties of and from any and all claims, costs, liabilities, or damages (collectively, “Claims”), including any Claims for injury to person or damage to property, arising from or related to the entry upon or use of the District Facilities or Common Areas, including any Claims arising from any fire, accident, occurrence, theft or condition, known or unknown, in or upon the District Facilities or Common Areas or other District property.

The District shall not provide any protection or supervision for the personal safety or security of any users or Patrons of any District Facilities or Common Areas, including any lake, recreation area, wetland, nature area or any other component of the District Facilities and Common Areas, including pool, spa, clubhouse, and playgrounds. All users, Patrons, and their guests use such District Facilities and Common Areas at their own risk. All users, Patrons, and their guests are hereby notified and understand and agree that from time-to-time wildlife, including but not limited to: alligators, wild hogs, bears, wolves, snakes, ants, bees, wasps, and other animals and insects (collectively “Wildlife”) may inhabit or enter the District Facilities and Common Areas and may pose a threat to persons, pets, and/or property. As a condition of their use of the District Facilities and Common Areas, all users, Patrons, and their guests are hereby notified, and understand and agree, that the District Parties are under no duty to protect against and do not in any manner warrant or insure against, any death, injury or damage caused by such Wildlife or any other condition in or upon the District Facilities or Common Areas. All users, Patrons, and their guests entering upon or using any District Facilities and Common Areas do so at their own risk and hereby, for and on behalf of themselves and their family members, tenants, and guests, agree to indemnify, defend, and hold the District Parties harmless from and against any and all Claims of any nature or kind arising from or related to such use of or entry upon any District Facilities or Common Areas.

FOREST CREEK COMMUNITY DEVELOPMENT DISTRICT RULES AND POLICIES

GENERAL RULES AND POLICIES

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168 The following general rules, regulations, and policies are established for all users and Patrons of District
169 Facilities and Common Areas. Any questions or concerns regarding these rules, regulations, and policies
170 should be directed to the District Manager.

171 The District may amend, modify, or expand these rules, regulations and policies, at any time following the
172 Rulemaking Proceedings in the District's Rules of Procedure.

173 **Enforcement of District Rules, Policies and Regulations**

174 The District owns, manages, and maintains certain property in the Forest Creek Community including an
175 irrigation system, roadways, gates, fences, docks, pavilions, boardwalks, bridges, landscaping, lighting,
176 surface water management system, dog parks, and recreation facilities including play areas, a clubhouse,
177 pool, and fitness center (collectively, "District Facilities"); and

178 The District is authorized to impose and to enforce rules and regulations for the use of District Facilities
179 pursuant to sections 190.041, 190.007, 190.011, and 190.012, Florida Statutes; and

180 Forest Creek Community Development District Resolution 2020-04, or as amended or superseded, provides
181 for enforcement of District rules and regulations, and for penalties including suspension and/or termination
182 of use rights for violations.

183 The District Manager and/or Operations Manger are authorized to immediately suspend access to any
184 District Facilities on a temporary basis for any violation described herein until the matter can be reviewed at
185 a Board meeting. The District Manager and/or Operations Manager shall contact law enforcement in the
186 event of any actual or suspected violation of any local, state, or federal law or any actual or perceived threat
187 to persons or property.

188 In an emergency, users and Patrons should directly notify appropriate first responders (police, fire
189 department, etc.).

190 Otherwise, all users and Patrons should notify the Operations Manager of any District Facility or Common
191 Area issues, i.e., broken equipment.

192 The District is not responsible for personal property or valuables at any time.

193 Meeting decorum. Rules for audience decorum are covered in Rule 1.3 in the District's Rules of Procedure
194 which can be found on the District's website.

195 The District reserves the right to refuse admittance into any District Facility when the maximum capacity of
196 the facility, such as the pool or spa, has been reached or when otherwise deemed necessary for the health,
197 welfare or safety of Patrons or authorized guests.

198 Gate stickers are available from the on-site Operations Manager, whose office is in the Clubhouse. Contact
199 the Operations Manager to purchase gate stickers. Proof of residency will be required when purchasing gate
200 stickers. When residents sell their house, or a rental agreement period ends, the gate stickers assigned to
201 those individuals will be removed from the gate operation system. Gate stickers are by design fragile and are
202 meant to be applied to the inside of the windshield. Residents are responsible for windshield application of
203 gate stickers for proper operation.

204 Clubhouse, fitness center, and restroom key fobs can be obtained from the on-site Operations Manager,
205 whose office is in the Clubhouse. Contact the Operations Manager to purchase key fobs. Each resident will
206 be provided up to two (2) key fobs. If a key fob is lost and you wish to replace it, please bring the remaining
207 key fob with you when you purchase the new one so that the old key fob can be removed from the lock
208 system. Proof of residency will be required when purchasing key fobs. Each key fob has a serial number. It is

FOREST CREEK COMMUNITY DEVELOPMENT DISTRICT RULES AND POLICIES

- 209 recommended that you record these numbers in case one is lost and later found, for identification purposes.
210 If one is lost and not found, that key fob can then be removed from the lock system.
- 211 The clubhouse, fitness center, restroom or pool/spa facility entry doors shall NOT be propped open at any
212 time.
- 213 Sale of liquor or alcoholic beverages in or on District Facilities is prohibited. Bounce houses, slides and other
214 similar entertainment items are not allowed in or on any District property.
- 215 All sounds emanating from any District Facility or Common Area shall be maintained at such volume as to
216 not become a nuisance or unreasonable annoyance to other Patrons or nearby residences.
- 217 No signs of any type are permitted on District property without prior written approval by the District.
- 218 Patrons/authorized guests may not advertise or sell items on any District property without prior written
219 approval by the District.
- 220 Lightning or adverse weather – District Facilities users should use prudent judgement when thunderstorms,
221 lightning, or other adverse weather is forecast or is present. However, pool/spa facility automated systems
222 will detect the presence of lightning within 6 miles and advise users to leave the pool/spa facility. When so
223 indicated, the pool/spa is closed until the automated system indicates it is clear to reenter.
- 224 Fireworks, Sparkers, novelties and trick noisemakers as defined in Florida State Statute 791.01 are
225 prohibited on all Forest Creek CDD Property. This includes the lakes, ponds, waterways, pavilions, clubhouse,
226 parking lot, dog park, streets, sidewalks, parks, playgrounds, pier, nature trails and conservation areas. For
227 more information regarding use of fireworks, please contact Manatee County or Manatee County Sheriff's
228 Office.
- 229 No golf carts, motorized scooters, electric skateboards, motorcycles, or utility vehicles are permitted on
230 District sidewalks at any time. This does not include motorized wheelchairs, mobility vehicles, or District
231 authorized vehicles. Pedestrians have right-of-way.
- 232 No golf carts, motorized scooters, electric skateboards, motorcycles, utility vehicles, skateboards, roller
233 skates, rollerblades, or bicycles are permitted in the pool/spa facility, on clubhouse sidewalks, basketball
234 court, pier, gazebos, nor breezeway. This does not include motorized wheelchairs, mobility vehicles, or
235 District authorized vehicles. Pedestrians have right-of-way. Bicycles must be stored in appropriate bike racks.
- 236 Dumping of debris in or on any District property, facility, conservation area, wetland, ditch, or lake is
237 prohibited.
- 238 Feeding of wildlife is prohibited on any District property, facility, conservation area, wetland or lake is
239 prohibited.
- 240 Gambling, including 50/50 raffles, and other activities prohibited by Chapter 849, Florida Statutes, are
241 prohibited on any District property. Cover charges for event prizes or disbursements are prohibited.
- 242 Charging or collecting fees for instructors is prohibited on any District property. Fund raising events such as
243 pancake breakfasts and hamburger/hotdog cookouts are allowed in approved areas. Donations and tips are
244 allowed.
- 245 All dog owners/walkers should be familiar with and follow applicable state laws and county ordinances when
246 on District property.

**FOREST CREEK COMMUNITY DEVELOPMENT DISTRICT
RULES AND POLICIES**

SUSPENSION OF USE OF DISTRICT FACILITIES POLICY

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(See Resolution 2020-04 or as amended)

The Board of Supervisors approved the imposition of suspensions of the right to use District Facilities and/or gate fob access for a period of up to one year depending on the nature of the violation of any rules or regulations imposed by the District.

Suspensions may be imposed for violations of any rules and regulations regarding use of District Facilities and/or property, including the following:

- a. Submission of false or misleading information on any application for use of any District Facilities.
- b. Permitting unauthorized use of or access to District Facilities.
- c. Exhibiting inappropriate and/or offensive behavior, deportment, or appearance.
- d. Failure to pay timely any amount owed to the District.
- e. Failure to abide by any District rules, regulations, policies, or directives.
- f. Treatment of any District supervisors, staff, employees, contractors, representatives, residents, or guests in any unreasonable, offensive, threatening, and/or abusive manner.
- g. Damage to or destruction of District Facilities or property.
- h. Engaging in any improper conduct, including any conduct likely to endanger the health, safety, or welfare of the District, or its supervisors, staff, employees, contractors, representatives, residents, or guests.

The Board of Supervisors shall impose suspensions pursuant to the following procedure:

- a. Upon notice and evidence of a violation by any resident or any guest or invitee of any resident of any rule or regulation imposed by the District, the Board shall review such information at a noticed meeting of the Board. If the Board by majority vote determines that a violation occurred and a suspension should be imposed, the Board shall direct the District Manager to send written notice of the violation to the resident. The Board, at its discretion, may direct the District Manager to issue a warning notice to a violator prior to imposing a suspension.
- b. The written notice shall state the nature of the violation, rule violated, and the suspension levied by the Board. The notice shall provide the resident at least 14 days' notice and an opportunity to request a hearing before the Board.
- c. If the suspension is upheld by the Board following the hearing or if no hearing is requested within 14 days of the notice, the Board shall direct the District Manager to send the resident a notice that the suspension has been imposed and the effective date and length of the suspension.

The District Manager and/or Operations Manger are authorized to immediately suspend access to any District Facilities on a temporary basis for any violation described herein until the matter can be reviewed at a Board meeting. The District Manager and/or Operations Manager shall contact law enforcement in the event of any actual or suspected violation of any local, state, or federal law or any actual or perceived threat to persons or property.

The Board of Supervisors may deviate from the foregoing procedure whenever it deems necessary or appropriate in its sole discretion. The Board of Directors may refer violation matters to District Counsel at any time whenever the Board of Directors deems necessary appropriate in its sole discretion. The suspensions authorized herein are not exclusive and are in addition to any and all other remedies available to the District to enforce its rules and regulations and to operate, maintain, and manage District property.

The District shall maintain records and copies of all violation notices and related documents which shall be part of the official records of the District.

FOREST CREEK COMMUNITY DEVELOPMENT DISTRICT RULES AND POLICIES

POOL & SPA RULES

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291 **No lifeguards are on duty. All persons entering the pool/spa facility shall understand and acknowledge the**
292 **inherent risks in swimming and entering the water, and do so at his/her own risk, and by doing so, do**
293 **hereby agree to forever release, remise and discharge the CDD and the CDD Parties from any and all**
294 **liability, act, loss, damage, injury, including death, which may occur by use of the pool facility (collectively**
295 **“Claims”) and further agree to indemnify, defend, and hold the CDD Parties harmless from any all Claims.**
296 **The CDD owes no duty of supervision to anyone using the pool/spa facility and the CDD provides no**
297 **supervision or lifeguards for anyone using the pool/spa facility or entering the water.**

298 POOL/SPA RULES PER FLORIDA BUILDING CODE SECTION 454

299 Pool and spa wet decks shall have a minimum unobstructed width of 4 feet (1219 mm) around the
300 perimeter of the pool, pool curb, ladders, handrails, diving boards, diving towers and slides.

301 A rinse only shower must be taken before entering the pool or spa.

302 Food and beverages may be consumed only in designated areas.

303 No food or beverages allowed in the pool/spa or on the pool/spa wet deck.

304 No chairs, tables, prolonged standing, sitting, or any obstacle is allowed in the four-foot ‘wet deck’ area.

305 No glass containers are allowed in the fenced pool/spa facility area (includes grill area and cabanas).

306 Do not swallow the pool/spa water.

307 Jumping into the pool or spa from the side of the pool is not permitted. ABSOLUTELY NO DIVING SHALL BE
308 PERMITTED.

309 Permitted hours of operation are shown on the issued pool and spa operating permits.

310 POOL/SPA FACILITY RULES

311 An emergency phone is available immediately outside the pool/spa facility entry. The phone is for emergency
312 use only. *

313 Hours of Operation are posted at the pool/spa entrance and clubhouse doors into grill area inside the
314 pool/spa facility. Users and Patrons must strictly comply with the Hours of Operation.

315 There is no lifeguard at the pool and persons using District facilities do so at their own risk. Patrons are
316 responsible for themselves, their household members, and their guests.

317 All persons at an increased risk of drowning or injury, including children under the age of 14, medically frail
318 elderly persons, and inexperienced swimmers, should be actively supervised by a responsible adult at all
319 times.

320 The pool or spa cannot be reserved or rented.

321 No one is permitted within the pool/spa facility when closed. Security monitors the pool/spa facility when
322 closed for trespassing. Violators will be asked to leave immediately, and violations forwarded to the District
323 for action.

324 Pets are not permitted in or on the pool/spa facility. Service animals are permitted on the pool/spa deck,
325 with proper documentation, but are NOT allowed in the pool or spa. *

FOREST CREEK COMMUNITY DEVELOPMENT DISTRICT RULES AND POLICIES

- 326 All pool or spa Patrons must be attired in appropriate and proper swimming apparel. Clothing such as cut-
327 offs, gym shorts, and underwear is not permitted as swimwear. The swimming pool/spa and decks must be
328 maintained in a sanitary manner for the protection of bathers.
- 329 No person within the facilities shall behave in such a manner as to jeopardize the safety and health of
330 him/her and others. Such behavior, including abusive or profane language, shall be grounds for expulsion.
331 All patrons shall conduct himself/herself in a manner consistent with the "Family-Friendly Environment" of
332 the facilities. Running, boisterous or rough play, pushing acrobatics, dunking, wrestling, splashing, yelling,
333 diving, or jumping haphazardly, snapping of towels, improper conduct causing undue disturbances on or
334 about the pool area or any acts which would endanger any patron are strictly prohibited. Spitting, spouting
335 water, blowing nose, urinating, or defecating in the pool is prohibited. No prolonged underwater swimming
336 for time and or distance. Competitive and/or repetitive breath holding can be deadly and is not permitted.
337 Hyperventilation is absolutely not permitted.
- 338 Gum chewing is not permitted anywhere in the pool/spa facility for health and safety reasons.
- 339 Smoking, electronic cigarettes, vaping, or chewing tobacco is not permitted in the pool/spa facility.
- 340 All refuse and waste papers must be deposited in designated receptacles.
- 341 Use of the grill should be supervised by an adult. Clean after each use.
- 342 Do not leave food or beverages in the refrigerator.
- 343 No grills, gas or electric cooking devices may be brought into the pool/spa facility.
- 344 All persons with incontinence issues must wear a swim diaper or other protective swim gear covered by
345 separate rubber/vinyl pants, all of which must fit snugly around the legs and waist. If the diaper becomes
346 soiled this person must leave the pool immediately and may not return until he/she has taken or been given
347 a soap shower and has been recovered by a new diaper with clean rubber/vinyl pants. The Patron will be
348 charged for the actual cost to treat the pool and remedy contamination caused by themselves, household
349 members, or guests.
- 350 All diaper changing must be done in restrooms. Changing tables are provided. No diapers are to be changed
351 in the pool/spa facility.
- 352 Due to the strenuous nature of some activities, the participant is advised to consult his/her physician
353 concerning fitness to participate. All activities present certain inherent risks and hazards which the participant
354 assumes.
- 355 Persons under the influence of alcohol or drugs will not be permitted in the pool/spa facility.
- 356 Sun bathers SHOULD shower before each entrance into the water in order to rinse off perspiration, lotions,
357 sunscreens, etc. *
- 358 Any person having a skin disease, sore or inflamed eyes, cold, nasal or ear discharge, communicable disease, or
359 who are wearing any kind of adhesive patch, bandage or Band-Aid will not be permitted in the pool or spa.
- 360 Tables shall not be moved or relocated. Chairs that are moved must be returned to their original location.
361 A four-foot clear area around the pool per state statute must be always maintained. *
- 362 When utilizing the cabana, ceiling fans must be turned off when you leave.
- 363 Windows in the clubhouse and fitness center must always remain closed except in cases of an emergency.

FOREST CREEK COMMUNITY DEVELOPMENT DISTRICT RULES AND POLICIES

364 All sounds emanating from the facilities, including talking, singing, audio equipment, or musical instruments
365 shall be maintained at such volume as to not become a nuisance or unreasonable annoyance to others at or
366 near the facility.

367 No golf carts, motorized scooters, electric skateboards, motorcycles, utility vehicles, skateboards, roller
368 skates, rollerblades, or bicycles are permitted in the pool/spa facility, on clubhouse sidewalks, basketball
369 court, pier, gazebos, nor breezeway. This does not include motorized wheelchairs, mobility vehicles, or
370 District authorized vehicles. Pedestrians have right-of-way. Bicycles must be stored in appropriate bike racks.

371 No accessories, rafts, or toys may be brought into the pool/spa except for life vest or similar flotation
372 devices fitting on or around the person, such as swim noodles.

ADDITIONAL POOL ONLY RULES

374 Bathing Load for the pool is 52 persons as stated on the operating permit.

375 If spray fountains are operating, pool users SHALL NOT play on or step on them at any time.

376 Floating and climb-on devices, objects or toys that are not a part of the approved pool design shall not be
377 tethered in the pool or installed without an engineering alterations application. *

ADDITIONAL SPA/HOT TUB ONLY RULES

379 Bathing Load for the spa is 7 persons as stated on the operating permit. *

380 Maximum water temperature: 104°F (40°C). *

381 Children under twelve must have adult supervision. *

382 Pregnant women, small children, people with health problems and people using alcohol, narcotics or other
383 drugs that cause drowsiness should not use spa pools without first consulting a doctor. *

384 Maximum use: 15 minutes. *

385 Use the spa timer and clock to limit use to 15 minutes.

386

387 (* per Florida Building Code Section 454)

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**FOREST CREEK COMMUNITY DEVELOPMENT DISTRICT
RULES AND POLICIES**

CLUBHOUSE RULES

- 389
390 Clubhouse may only be used during the posted hours of operation.
- 391 The maximum occupancy is as posted by the Parrish Fire Marshall.
- 392 Any group of 6 or more will be deemed a function and the clubhouse must be rented or reserved by
393 contacting the Operations Manager. (see definitions for Rental and Reservations). Rental or Reserved events
394 shall not exceed five (5) hours in length. No one under the age of 18 may rent or reserve the clubhouse. See
395 the Reservations/Rental form for additional restrictions.
- 396 The pool, spa, fitness room, or basketball court are not available for rental or reservation at any time.
- 397 Alcohol - Sale of liquor or alcoholic beverages in or on District Facilities or property is prohibited.
- 398 Smoking of any kind, including but not limited to cigarettes, electronic cigarettes, and vaping, and chewing
399 tobacco is not permitted in the Clubhouse. All smoking materials must be used outside and must be placed
400 in approved containers.
- 401 No political campaign signs, flyers or related documents may be posted or disseminated in or on any District
402 property, to include parking lots, including District bulletin boards.
- 403 No pets or animals, except service animals, are allowed in the clubhouse.
- 404 WIFI is available at the clubhouse and surrounding areas is an open network and users need to take necessary
405 precaution to safeguard their information. (See the CDD Provided Internet Access Rule in this document).
- 406 Televisions are for user entertainment. No modifications to the televisions and/or remotes are authorized.
- 407 Decorations shall not be taped (painter's tape is allowed), tacked, nailed, or stapled to the ceiling, fans, EXIT
408 signs, security sensors/cameras, or walls.
- 409 Users of the Clubhouse are responsible to leave the facility clean and if furniture has been moved, all
410 furniture will be returned to its original location.
- 411 When leaving the clubhouse, ensure all doors are closed and secured, and the TV and lights are off.
- 412 Air Conditioning/Heating thermostat shall not be altered or changed without District approval.
- 413 Do not move the pool table. Food is not allowed on the pool table at any time. Cover the pool table when
414 done playing.
- 415 The Clubhouse, Pool/SPA or Restrooms entry doors shall NOT be propped open at any time.
- 416 Do not leave food or beverages in the refrigerator.
- 417 Remove excess trash and put in the dumpster located in the parking lot.

**FOREST CREEK COMMUNITY DEVELOPMENT DISTRICT
RULES AND POLICIES**

FITNESS ROOM RULES

- 418
- 419 The fitness room may only be used during the posted hours of operation.
- 420 The fitness room cannot be reserved or rented.
- 421 The fitness room is not supervised. Exercise at your own risk.
- 422 No animals, except service animals, are allowed in the Fitness Center.
- 423 Do not open the windows or prop the door open at any time.
- 424 All persons using the fitness room and fitness equipment do so at their own risk. The District is not
425 responsible for any injury to any person or damage to property caused or incurred while in or on District
426 facilities.
- 427 Due to safety concerns, children under the age of 14 are not permitted in the fitness room unless
428 accompanied and supervised by a responsible adult.
- 429 No strollers or baby carriers are permitted and no persons who are not physically capable of using the
430 equipment are permitted in the fitness room at any time.
- 431 Rubber soled shoes that cover the entire foot must be worn at all times. For health and safety reasons,
432 sandals, spiked shoes, work boots and flip flop types of shoes are not permitted.
- 433 Shirts must be worn at all times. Bathing suits and jeans are not permitted in the fitness room.
- 434 Food is not permitted in the fitness room. Closed, plastic beverage containers are allowed.
- 435 Please be considerate of other patrons, wipe down equipment after use, and return the weight plates and
436 dumbbells to the racks provided.
- 437 Cardiovascular equipment use is limited to 30 minutes when people are waiting.
- 438 Using a spotter when lifting weights is recommended.
- 439 Exercise equipment **MUST** not be rearranged in the fitness room as many of the pieces have safety clearances
440 that must be maintained.
- 441 Television must be turned off when the user leaves the facility unless others are still viewing.

**FOREST CREEK COMMUNITY DEVELOPMENT DISTRICT
RULES AND POLICIES**

DOG PARK RULES

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443

Prior to use, dog park Patrons agree to the following:

444

On behalf of myself, my guests, invitees, and any persons accompanying me and my dog(s), I hereby acknowledge, understand, and agree that I am voluntarily using the Forest Creek Community Development District Dog Park (the "Dog Park") and that my use of the Dog Park necessarily involves risks of injury to myself, my guests, invitees and any persons accompanying me, other people, my dog(s), and other dogs. I expressly assume all of these risks. I further understand and agree that use of the Dog Park involves certain inherent risks which I expressly assume, including but not limited to the following:

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a. That all dogs, irrespective of their training and past behavior or characteristics, may act or react unpredictably at times;

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b. That not all dogs present in the Dog Park will have received the Rabies vaccine as required by law;

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c. That not all dogs present in the Dog Park will have been vaccinated for Distemper and Parvo, all of which could result in injury to me and my dog(s);

455

d. That dog bites and injuries to humans and other dogs may occur;

456

e. That dog theft or unlawful capture, dog escape over or under fences may occur;

457

f. That plants and/or water sources in the Dog Park may be poisonous or create other hazards to myself, my guests or invitees, and my dog(s);

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g. That park vegetation may have burrs or seeds that could become tangled in my dog's coat or lodged in my dog's feet, ears, nose, or eyes;

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h. That mosquitoes, ticks, chiggers, fleas or other insects and wild animals such as skunks, raccoons, opossums, or stray dogs may be present in the Dog Park, all of which might injure or infect myself, my guests or invitees, and my dog(s).

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464

On behalf of myself, my guests, invitees, and any persons accompanying me, and my dog(s) (collectively, "My Invitees"), I hereby acknowledge, accept, and assume all of the foregoing risks and any other risks which may arise from my use of the Dog Park. I hereby release, remise, acquit and forever discharge the Forest Creek Community Development District, including its supervisors, directors, officers, managers, engineers, attorneys, agents, volunteers, employees, representatives, successors and assigns from any and all claims, demands, damages, causes of action, of any kind or nature, present or future, whether the same be known or unknown, anticipated or unanticipated, resulting from or arising out of my and/or My Invitees use of the Dog Park and/or the Dog Park premises, facilities or equipment.

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On behalf of myself and My Invitees, I further agree to indemnify, defend, and hold the Forest Creek Community Development District, including its supervisors, directors, officers, managers, engineers, attorneys, agents, volunteers, employees, representatives, successors and assigns harmless from any and all claims, demands, damages, causes of action, costs, of any kind or nature, present or future, whether the same be known or unknown, anticipated or unanticipated, resulting from or arising out of my and/or My Invitees use of the Dog Park or the Dog Park premises, facilities or equipment, including any claim for loss of my dog(s) by disappearance, theft, death or otherwise, or any claim for damage or injury to our dog(s), whether such loss, disappearance, theft, damage or injury, be caused or alleged to be caused by the negligence of any of the parties aforementioned, or by the negligence of any other person, or any other cause or causes.

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I agree that my release, indemnification and holding harmless as provided herein also applies to any and all loss and expense (including legal and expert witness fees) by reason of the liability imposed by law upon any of the aforementioned parties. I understand that there may be a risk to myself, anyone accompanying me, and my dog(s), of injury or death from fierce, aggressive, vicious, and dangerous dogs, which may be present in the Dog Park.

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I understand, acknowledge and agree that I and My Invitees use the Dog Park at our own risk and that no supervisor, manager, agent, contractor, representative, volunteer or employee of the Forest Creek

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FOREST CREEK COMMUNITY DEVELOPMENT DISTRICT RULES AND POLICIES

- 489 Community Development District will supervise the Dog Park at any time, regardless of whether any such
490 person or persons may be present at the Dog Park at any time.
- 491 Dog park Hours are Dawn to Dusk. There are no lights.
- 492 All entrances are to remain closed and latched or locked except for entry and exit.
- 493 Dogs must wear current County tags and have a current rabies vaccination.
- 494 Dogs must be leashed when entering and exiting the park.
- 495 Aggressive dogs will not be allowed in the park.
- 496 Dogs must be under voice control at all times (i.e., they should come when called by their owners).
- 497 Dog owners must be always present with leash and in view of their dog.
- 498 Dog feces must be picked up and disposed of by owner.
- 499 Dog owner must immediately fill in any holes dug by their dog.
- 500 People food is prohibited inside the dog park.
- 501 In all cases, owners are responsible for the actions of their dogs.
- 502 Aggressive dogs and dogs in heat are not allowed in park.

**FOREST CREEK COMMUNITY DEVELOPMENT DISTRICT
RULES AND POLICIES**

PARKING RULES

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All residents of the District and all visitors, guests, invitees, and licensees are required to comply with the following rules and regulations regarding parking in the District. **VIOLATORS MAY BE TOWED WITHOUT FURTHER NOTICE OR WARNING OF ANY KIND.**

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Daytime parking is permitted in designated parking areas located at the clubhouse and gazebo.

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No on-street overnight parking is allowed and is enforced by a licensed towing company between the hours of 1am and 5am daily. Vehicles will be towed at the sole expense of the vehicle owner without further notice of any kind. No warnings will be given.

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Overnight vehicle parking without a permit in the clubhouse or main lake gazebo parking lot is prohibited and subject to towing at the owner's expense. Forest Creek residents can request limited overnight parking in the clubhouse or main lake gazebo parking lot. Restrictions are listed on the overnight parking form which is available on the District website.

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(Florida Statute 316.1945) Except when necessary to avoid conflict with other traffic, or in compliance with law or the directions of a police officer or official traffic control device, no person shall:

Stop, stand, or park a vehicle:

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- a. On the roadway side of any vehicle stopped or parked at the edge or curb of a street.
- b. On a sidewalk.
- c. Within an intersection.
- d. On a crosswalk.
- e. Alongside or opposite any street excavation or obstruction when stopping, standing, or parking would obstruct traffic.
- f. For the purpose of loading or unloading a passenger on the paved roadway or shoulder of a limited access facility or on the paved portion of any connecting ramp.

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Stand or park a vehicle, whether occupied or not, except momentarily to pick up or discharge a passenger or passengers:

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- a. In front of a public or private driveway.
- b. Within 15 feet of a fire hydrant.
- c. Within 20 feet of a crosswalk at an intersection.

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(Florida Statute 316.1945) Every vehicle stopped or parked upon a two-way roadway shall be so stopped or parked with the right-hand wheels parallel to and within 12 inches of the right-hand curb or edge of the roadway.

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No parking is permitted outside ANY entry gate in accordance with Florida Statute 316.1945 (a) and (b), and 316.195. People picking up students from school buses are to park inside the gate without blocking traffic or creating a hazard. For example, park on John Parrish Cove to pick up children NOT between the gate and US301.

539

No parking is allowed in, or on, any landscaped or common area.

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Streets and roadways are for ingress and egress; temporary parking on streets is permitted on a limited basis subject to these rules and regulations.

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No vehicle may be parked on or in any street or roadway for more than six (6) hours within a 24-hour period, except in bump outs, or with prior authorization of the District.

FOREST CREEK COMMUNITY DEVELOPMENT DISTRICT RULES AND POLICIES

- 544 Bump outs are located along Forest Creek Trail, Charles Partin Drive, and Old Florida Lane. Parking in the
545 bump outs is on a first come, first serve basis.
- 546 No vehicle will be parked in a bump out for more than seven (7) days without being completely moved.
547 Vehicles parked in bump outs must be parked in the direction of the traffic lane next to the bump out. Double
548 parking is not permitted at any time.
- 549 Bump out parking on Natures Reach Terrace is reserved for those utilizing the playground from dawn to
550 dusk, the hours of the playground/park.
- 551 No District parking spaces, or bump outs shall be used for accumulating or storing building materials, trash,
552 etc.
- 553 Any vehicle that, in the discretion of the District Manager, Operations Manager, and/or the Chair of the
554 Board of Supervisors, poses a safety hazard shall be prohibited from parking in the District. This includes, but
555 is not limited to Vans with ladders, tools, etc. attached to the outside of the vehicle without being properly
556 secured and/or locked.
- 557 a. Vehicles over 20 feet in length.
558 b. Boats, RV's or utility trailers.
- 559 No parking is permitted in areas designated as handicapped parking spaces, unless authorized by permit.
- 560 No vehicles may be parked in front of mailboxes or prevent access to mailboxes.

FOREST CREEK COMMUNITY DEVELOPMENT DISTRICT RULES AND POLICIES

GATES RULES

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If you have a gate sticker, the incoming gate will immediately start to open as you drive up to the pole-mounted transponder.

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Exiting any gate requires only that you drive up to the exit gate, stop, and it will automatically open. Wait until fully open before proceeding.

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Forest Creek residents must obtain gate stickers from the Operations Manager and pay the appropriate fee. Gate stickers will allow residents to enter each of the four gates entering Forest Creek.

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Do not tailgate when entering. The gate bars and gates have been timed to allow only **one** vehicle to enter when the gate opens.

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While a vehicle is at the call box requesting entry, do not drive around that vehicle to enter ahead of that car. The gate bar will lower before the vehicle at the call box can enter and thus, they must back up to re-enter the code, or re-call the resident. This situation leads to excessive backups at the gates.

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A four-digit code may be used at gate call boxes to enter. This code is changed annually by the District. Contact the Operations Manager to get the code.

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Guests must use either the US 301 gate (aka Main Gate) or the Major Turner gate at the end of Red Rooster Road. At these two gates a resident call box is available for the guest to contact the resident for entry. To call from this box, the guest scrolls to the resident's name and when highlighted, presses the "CALL" button. If you know that a guest will be coming to visit, you can provide that guest with your three-digit code and the guest can punch in the three-digit code and the resident will be called. When the resident receives a call from the gate, they will be able to talk to the guest. When assured that the caller is a known guest, the resident presses "9" on their phone. The call will terminate, and the gate will open for the guest. If the resident's name does not appear on the call box, the guest can press "474" to contact the operator and get the four-digit code to enter. Residents who do not have a gate sticker or are in a guest's vehicle or rented/loaned vehicle can also call the operator to gain entry.

585

Do not enter through open exit gates.

586

Notify the Operations Manager of any gate or call box issues.

**FOREST CREEK COMMUNITY DEVELOPMENT DISTRICT
RULES AND POLICIES**

GATE STRIKE POLICY

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- The District established the following fees to repair the gates:
- a. A fee of \$150.00 to any user for striking, removing, pulling, or knocking off gate arm requiring re-attachment or any other maintenance or repair ("**Strike Fee**")
 - b. A fee, in addition to the Strike Fee, in the amount of the cost to repair plus 10% to repair damage to gate arm or other facilities ("**Damage Fee**") where the act of striking, removing, pulling, or knocking off the gate arm results in additional damage to the gate arm or other Gate Facilities in addition to re-attachment of the gate arm and/or costing in excess of \$150.

The foregoing Strike Fee and Damage Fee (collectively, the "Fee") will be assessed by the Board at a meeting of the Board based on evidence submitted to and/or reviewed by the Board at the meeting. The person to be assessed shall have notice of the meeting and the right to address the Board at the meeting to state any defenses, mitigating factors, or other matters the person to be assessed would like the Board to consider. The Board may limit the time and scope of the person's address to no less than three (3) minutes.

Following assessment of a Fee by the Board, the District Manager shall send a notice ("**Fee Notice**") to the person assessed stating the amount of the Fee assessed, the due date for payment, and the right to appeal. All Fees shall be due within sixty (60) days of the date of the Fee Notice.

Any person assessed as provided herein who did not address the Board at the meeting at which the Fee was assessed shall have the right to appeal the Fee to the Board. Such person shall notify the District Manager in writing within 90 days of the date of the Fee Notice that the person requests to appeal the Fee. The appeal shall be heard at the next scheduled meeting of the Board of Supervisors which is not less than fourteen (14) days from the date of the request for appeal.

If the person assessed fails to pay the Fee by the due date, the District may suspend the right of the person assessed, as well as their tenants, household members, and/or guests, to use the District's recreational facilities, including the pool and clubhouse, until the Fee is paid in full. In addition to and not in lieu of the foregoing, the District may pursue legal action to recover payment of a Fee, including the unpaid balance thereof and all interest accrued thereon, together with reasonable attorney's fees and costs.

FOREST CREEK COMMUNITY DEVELOPMENT DISTRICT RULES AND POLICIES

LAKE AND POND RULES (INCLUDING FISHING)

618

619 Only Patrons may fish from lakes or ponds located within the District. We ask that you respect your fellow
620 landowners and access the lakes and ponds through the proper access points. The District operates under a
621 catch and release policy for all fish caught in the lakes or ponds. The lakes and ponds are constructed for
622 stormwater management purposes and are not to State Code for keeping or consuming your catch. The
623 purpose of these bodies of water is to help facilitate the District’s natural water system for stormwater
624 runoff.

625

Fishing is only permitted from dawn until dusk in District-owned lakes and ponds.

626

627

The District operates under a catch and release policy. Removal of fish for personal keep or consumption is not authorized.

628

Spear fishing or the use of spear guns, bows & arrows, and firearms is always prohibited.

629

Cast Netting is prohibited, except for District authorized vendors.

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Removal of hooks and lures from fish should be performed in a manner that gives the fish the best chance of survival. De-Hookers or needle-nose pliers need to be carried by authorized users at all times. Circle Hooks are recommended for all live bait fishing.

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In events when dangerous wildlife is “caught” by hook or lure, the line(s) should be cut at a safe distance so as to avoid possible bodily injury and harm.

635

The use of traps is strictly prohibited.

636

The use of profanity or disruptive behavior will not be tolerated.

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All trash or debris must be disposed of in the appropriate receptacles, if available. The philosophy of “If you bring it with you, you must take it with you when you leave” is employed.

639

Fish are not to be moved from one pond to another.

640

Authorized users are not allowed to introduce or stock any of the lakes or ponds.

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Authorized users will be responsible to obtain any permits or licenses that may be required under Florida Law to legally fish. Any monetary penalties or fees incurred by the District as a result of user’s failure to acquire such required permits or licenses will be the liability of the individual determined to be in violation.

644

645

Watercraft (boats, canoes, or kayaks) cannot be stored on or left on any District property. This includes lakes/ponds in the District.

646

Swimming is prohibited in all lakes and ponds on District property.

647

No motorized watercrafts of any kind are allowed in or on the banks of any lakes or ponds.

648

649

Parking along the District right of way or on any grass area near the lakes and ponds is prohibited. It is recommended that residents wishing to fish in a lake or ponds walk or ride bicycles.

650

Continued violation of this policy will result in the immediate reporting to local law enforcement authorities.

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652

There is a 20-foot District-owned buffer surrounding each lake and pond, residents may fish in the 20-foot buffer during the hours of dawn to dusk. Please be respectful of adjacent resident homes.

FOREST CREEK COMMUNITY DEVELOPMENT DISTRICT RULES AND POLICIES

653

NATURE AREAS RULES

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Nature areas, consisting of wetlands and conservation areas are not intended to be maintained. These areas are to be left untouched to allow for nature to take its normal course. Invasive species may be removed by District authorized vendors.

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Trees and other vegetation within or immediately adjacent to these areas that have died and appear to pose a threat of property damage or injury may be addressed by the property owner by contacting the District. The District will contact a certified arborist and either Manatee County or Southwest Florida Water Management District (SWFWMD) to assess the threat. The goal is to prohibit or minimize disturbance to these areas.

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If a tree does overhang or fall onto another owner'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.

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Removal of native vegetation within and immediately surrounding these areas is discouraged, unless necessary, and may be restricted or prohibited by Manatee County, and ultimately SWFWMD to protect the upland/wetland area or body of water.

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Ultimately, no one should encroach into the natural areas for any reason, from maintenance to placement of personal property of any kind, including vegetation, lumber, or any other debris materials. If you have any questions, please contact the CDD management company.

670

GAZEBOS AND SHELTERS RULES

671

Gazebos located at the large lake are for the enjoyment of Forest Creek residents and their guests.

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When a function is planned to be held at any gazebo, the gazebos must be first reserved. Reservations are to be made with the Operations Manage office at the clubhouse.

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When being used, residents and guests must remain inside of the gazebo railings. Any decorations must be removed when the event ends, and the gazebos must be left clean.

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Shelters are located at the playground and at Lescenski Park behind the dog park and are for the enjoyment of all residents and guests of Forest Creek. Shelters cannot be reserved or rented. Those utilizing shelters must leave the shelter clean when leaving.

679

BASKETBALL COURT RULES

680

Hours of the basketball court are dawn to dusk. There are no lights at the basketball court.

681

The basketball court cannot be reserved or rented.

682

The basketball court is used at your own risk and the District is not liable for injury.

683
684

Rubber soled gym shoes must be worn when on the court. The backboard, which is adjustable, should be returned to regulation height if it has been changed.

**FOREST CREEK COMMUNITY DEVELOPMENT DISTRICT
RULES AND POLICIES**

PLAYGROUND RULES

685

686 The playground are open to all residents and guests. Hours of operations is from dawn to dusk as there is
687 no lighting at the playground.

688 Additional playground rules are posted at the playground.

689 The playground cannot be reserved or rented.

690 Please be courteous of residents living near the playground.

691 Notify the Operations Manager of any issues at the playground.

FOREST CREEK COMMUNITY DEVELOPMENT DISTRICT RULES AND POLICIES

GOLF CART RULES

692

693 Chapter 316.212, Florida Statutes, Operation of golf carts on certain roadways, or as amended, and Manatee
694 County Ordinance 23-9, or as amended, apply to usage of golf carts in Forest Creek. The following District
695 rules are in addition to the state statutes and county ordinances.

696 Designation of Certain Areas and Roadways. Golf carts may only be operated on District roadways and any
697 other areas specifically designated by the District for golf cart use. Unless expressly permitted herein, driving
698 or parking golf carts on nature walks, bridges, sidewalks, common areas, dock, playground, basketball court,
699 dog parks, gazebos, conservation areas, ditches, tree preserves, grassy areas, pedestrian gates, and any other
700 non-roadway areas is prohibited.

701 Signage and Right of Way. The District shall post appropriate signage on any non-roadways designated for
702 golf cart use, to warn motorists that the operation of golf carts is allowed on such non-roadway areas
703 specifically designated for golf cart use. Pedestrians will have the right of way and golf cart operators will
704 yield to such individuals.

705 Parking of Golf Cart Vehicles. All golf cart vehicles must be parked in designated golf cart vehicle parking
706 areas or motor vehicle parking areas. No golf cart vehicles shall be parked in a roadway or on any designated
707 golf cart vehicle path.

708 Storage of Golf Cart Vehicles. All golf cart vehicles must be stored in an enclosed garage and otherwise in
709 compliance with the rules and regulations of the District and the individual property owner's association, as
710 may be applicable.

711 Golf Cart Hours of Operation. Golf carts with headlights, brake lights, turn signals and a windshield may be
712 operated on the designated District roads and areas referenced herein at all hours of the day. Golf carts
713 lacking the aforementioned equipment may be operated only during the hours between sunrise and sunset.

714 Requirements for Golf Carts Using Designated Roadways. All golf carts using roadways and areas which are
715 designated herein for golf cart use, no matter what time of day must be equipped with efficient brakes,
716 reliable steering apparatus, safe tires, a rearview mirror, and red reflectorized warning devices in both the
717 front and rear. All golf carts must be in sound and safe working condition and must be maintained and
718 repaired in accordance with manufacturer's requirements and recommendations.

719 Requirements for Golf Cart Operators. Owners and/or operators of golf carts shall obey all traffic laws and
720 meet the requirements of current state laws, including Chapter 316.212, Florida Statutes. These include laws
721 governing the age of operators, license requirements, required equipment and safety standards, use of
722 directional or hand signals when making turns, and compliance with regulatory signs.

723 Insurance. Liability insurance must be maintained on all golf cart vehicles. Golf cart vehicle drivers using
724 District streets will be required to carry proof of insurance and to provide same to the District upon request.

725 Speed Limits. All golf cart vehicles driven on the District roadways and paths shall comply with the posted
726 speed limits. Notwithstanding the foregoing, golf cart vehicle speed shall not exceed 20 miles per hour at
727 any time.

728 Low-Speed Vehicles, ATV's, and Utility Vehicles. Low speed vehicles and utility vehicles, as defined in Florida
729 Statute 320.01, and all-terrain vehicles (ATV's), as defined in Florida Statute 316.2074, shall be permitted on
730 District roadways only in accordance with Florida law and this policy.

731 Use of Vehicles by District Supervisors and Staff. Notwithstanding anything contained herein to the contrary,
732 District supervisors, staff, employees, and/or contracted vendors may use golf carts and utility vehicles
733 owned and operated by District supervisors, staff, employees, and/or contracted vendors anywhere on
734 District Property in order to conduct District business and operations, including the inspection, operation,
735 management, maintenance, and repair of District Property.

736 Indemnification of the District. The owner of a golf cart and/or any person using or riding in a golf cart in
737 Forest Creek assumes the risk of property damage, personal injury or death. The District shall not be liable

FOREST CREEK COMMUNITY DEVELOPMENT DISTRICT RULES AND POLICIES

738 for golf carts operated in Forest Creek or any liability arising from or related to the use of a golf cart in Forest
739 Creek, whether or not in compliance with this policy and/or applicable law. By operating or riding in a golf
740 cart on any District street or road, each person operating or riding in such golf cart agrees to indemnify,
741 defend, and hold harmless the District, including its residents, supervisors, directors, officers, agents,
742 managers, management company, attorneys, representatives, employees, agents, successors and assigns,
743 from any and all causes of action, costs, damages, liabilities, suits, claims, losses, and/or harm (collectively,
744 "claims"), of any and every kind or nature, including but not limited equitable and legal claims and claims for
745 personal injury or property damage, arising from or related to operating, using, or riding in a golf cart in the
746 community.

747 Enforcement. Any violation of this Policy, as determined by the Board of Supervisors, may result in
748 suspension or revocation of privileges to operate the golf cart in the community and/or suspension of use of
749 District recreation facilities. Any threat to safety may result in immediate contact to law enforcement and/or
750 legal action. Safety violations and any violation of Florida motor vehicle and traffic laws, as well as other
751 applicable federal, state, and/or local law, shall be reported to and enforced by the Manatee County Sheriffs'
752 Office or other applicable agency.

753 Conflict with County Jurisdiction and/or Authority. To the extent that any provision of this rule is preempted
754 by or conflicts with the jurisdiction or authority of the State of Florida and/or Manatee County over the areas
755 designated herein under any State or County law or regulation, the conflicting provision(s) of this rule shall
756 have no effect.

FOREST CREEK COMMUNITY DEVELOPMENT DISTRICT RULES AND POLICIES

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CDD PROVIDED INTERNET ACCESS POLICY

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The District offers internet access through the wireless (Wi-Fi) service in the recreation center (Clubhouse, Pool, SPA, Grill and Fitness Center). The purpose of this policy is to establish the policy regarding District-provided internet access. Failure to abide by this policy may result in suspension of access to or use of District Facilities and/or District Property or services. The District may implement access and usage control technologies as deemed necessary.

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User Responsibilities

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The District assumes no responsibility for any damages, direct or indirect, that may occur from the use of its electronic resources and District internet access. Further, the District assumes no responsibility for accuracy, authority, objectivity, currency, or content of any internet resource. Any persons using District internet access do so at their own risk, and, in using District internet access, shall indemnify, defend, and hold the District and all District Parties harmless from any and all damages, liabilities, claims, or causes of action of any kind or nature arising from or related to such use.

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Use of the District's internet access for purposes contrary to local, state, or federal law, or in a manner that violates this policy, is expressly prohibited and may result in the suspension or termination of access to or use of District facilities and/or District Property, or services. Such violations may include, but are not limited to:

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- a. Computer/Electronic Devices related crimes as defined in Chapter 815, Florida Statutes.
- b. Intentionally displaying, sending, or receiving inappropriate materials in either text or graphic format that may be reasonably construed as obscene, child pornography, or harmful to minors.
- c. Propagating malicious software.
- d. Unauthorized downloading of copyrighted, trade secrets and/or intellectual material.
- e. Unauthorized access to files or systems.
- f. Distribution or sharing of digital media using peer-to-peer decentralized networking technology.

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Parents and/or legal guardians are solely responsible for internet access and use by their children on District property.

**FOREST CREEK COMMUNITY DEVELOPMENT DISTRICT
RULES AND POLICIES**

POLITICAL CAMPAIGNS AT DISTRICT FACILITIES POLICY

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The purpose of this policy is to ensure authorized residents have access to District facilities (club house, pool, SPA, fitness center, grill area, pier, cabanas, entrance/exits, dog park) without interruption by activities normally associated with political campaigns.

Guidelines

No persons may campaign on behalf of political candidates, whether partisan or nonpartisan, or political issues at any District Facility, except in predetermined areas designated for such activities, as more specifically provided for herein.

The club house may be rented in accordance with District policy by persons or groups seeking to conduct political campaigns therein.

No political campaign signs, flyers or related documents may be posted or disseminated in or on District property, including District bulletin boards, and if discovered, such postings shall be removed immediately.

During CDD Board Meetings

To allow for the efficient and timely conduct of District business during public Board meetings, no political messages, paraphernalia (including but not limited to shirts, buttons, signs or the like), political public comments or otherwise are allowed in or during a public meeting of the Board of Supervisors in furtherance of the candidacy of any candidate for any public office.

CDD Board Supervisors and District Employees

Per Florida Statute 104.31, neither CDD Board Supervisors nor District employees may use their official authority or influence for the purpose of coercing or influencing another’s vote or coercing or influencing another into paying, lending, or contributing any part of his or her salary, or any money, or anything else of value to any party, committee, organization, agency, or person for political purposes.

District employees may not campaign for candidates or political issues while on duty or use the District’s resources in furtherance thereof.

District Supervisor Candidates

Candidates for District Supervisor may not, in furtherance of his or her candidacy, use the services of District employees.

Contributions

No person shall make, solicit or knowingly accept any political contribution on District property. For purposes of this subsection, “accept” means to receive a contribution by personal hand delivery from a contributor or the contributor’s agent. This subsection shall not apply when a District facility or any portion thereof is rented for the specific purpose of holding a campaign fund raiser.

FOREST CREEK COMMUNITY DEVELOPMENT DISTRICT RULES AND POLICIES

IRRIGATION POLICY

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830 The purpose of this policy is to establish district irrigation operating days and times to meet residential and
831 common area irrigation requirements within state and county guidance, and to maximize irrigation system
832 longevity by minimizing pump on time.

833 **Ownership**

834 The Forest Creek Community Development District (CDD) owns and is responsible for the operation,
835 maintenance and replacement of all irrigation system pumps, filters, distribution lines, distribution valves,
836 common area irrigation components and residential shutoff valves located at each residence. Residents are
837 responsible for all parts of the irrigation system beyond the residential shutoff valve. Contact the Operations
838 Manager for any irrigation system issues.

839 **Irrigation Days/Hours & Restrictions**

840 Residential irrigation of existing lawns and landscaping is limited in accordance with Manatee County
841 regulations, ordinances, and Florida law, all of which are subject to change from time to time, and further
842 restricted as provided herein.

843 Residential irrigation days are by address.

- 844 a. EVEN addresses (last digit is 0, 2, 4, 6 or 8) may only irrigate Thursday and/or Sunday
845 b. ODD addresses (last digit is 1, 3, 5, 7 or 9) may only irrigate Wednesday and/or Saturday

846 Residential irrigation is only allowed before 10 a.m. or after 7 p.m. on approved days.

847 Common area irrigation will follow the “Properties without addresses” Manatee County watering restrictions
848 and may only irrigate on Tuesday and/or Friday before 10 a.m. or after 7 p.m.

849 The CDD Irrigation System is off every Monday, except as required for system wide maintenance.

850 The CDD irrigation system is supplied by a retention pond augmented by a deep well pump and is not
851 supplied by reclaimed water. Accordingly, water restrictions applicable to reclaimed water sources do not
852 apply to the CDD irrigation system.

853 The foregoing restrictions will be modified without notice in accordance with any changes to Manatee
854 County published restrictions. For additional information on county water restrictions, see
855 www.mymanatee.org.

856 **Note:** The CDD Irrigation System is equipped with a rain sensor at the pump which automatically shuts the
857 system down during rain and then resets after a period of time. The irrigation system may be shut down for
858 maintenance without prior notice.

859 **Residential system maintenance**

860 The CDD Irrigation System shall be on Tuesday until 2 p.m. and Saturday until noon for residents to perform
861 system maintenance and repair only. The resident or licensed vendor must be present during maintenance.
862 Maintenance is limited to 15 minutes per zone.

863 **Irrigation system wide maintenance**

864 The CDD Landscape vendor is authorized to operate or disable all or part of the CDD Irrigation System for
865 maintenance at any time.

**FOREST CREEK COMMUNITY DEVELOPMENT DISTRICT
RULES AND POLICIES**

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