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# MAINLANDS SECTION FOUR CIVIC AND RECREATION ASSOCIATION

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## 2022 Rules and Regulations



MAINLANDS SECTION FOUR CIVIC AND RECREATION ASSOCIATION

4630 NW 46 STREET  
Tamarac, FL 33319

**Mainlands Section Four Civic and Recreation Association, Inc**

4630 NW 46 Street  
Tamarac, FL 33319

**Rules and Regulations and Enforcement**

**TABLE OF CONTENTS**

**SECTION 1: GENERAL RULES AND REGULATIONS..... Page 3**

**Subsections**

1. Parking or Storage
2. Erection and altering of structures
3. Building Repair and Improvements
4. Use of Homes (Classification R-1)
5. Use of Lands
6. Garbage, Refuse and Weeds
7. Maintenance
8. Grass Cutting and Trimming
9. Fertilization and Weed Control
10. Sprinkler Services
11. Complaints
12. Sale, Rental or Leasing
13. New Residents Committee
14. Roof Cleaning and Painting
15. Animals (City of Tamarac Code Must be Complied With)
16. Nuisances

**Mainlands Section Four Civic and Recreation Association, Inc**

4630 NW 46 Street

Tamarac, FL 33319

**Rules and Regulations and Enforcement**

**SECTION 2: RECREATION AREA RULES AND REGULATIONS..... Page 13**

**Subsections**

1. Recreation Corporation's Function
2. No Smoking
3. Use of Common Areas and Facilities
4. Pool Rules
5. Lawn Games Rules
6. Rules Regarding Exclusive Use of the Clubhouse

**SECTION 3: RULES AND PROCEDURES REGARDING THE INSPECTION  
AND PHOTOCOPYING OF ASSOCIATION RECORDS..... Page 18**

**Subsections**

1. Records Defined
2. Persons Entitled to Copy or Inspect
3. Inspection and Copying
4. Manner of Inspection
5. Enforcement of Inspection and Copying Rules

## **Mainlands Section Four Civic and Recreation Association, Inc**

4630 NW 46 Street  
Tamarac, FL 33319

### **Rules and Regulations and Enforcement**

All Association Rules and Regulations must be enforced uniformly. What is good for one homeowner must be good for or against another. Failure of the Association to enforce a rule or to enforce it only against certain individuals but not others is prohibited.

As a resident of Mainlands Section Four Civic and Recreation Association, Inc., you are also a resident of the City of Tamarac, Florida and subject to that City's Municipal Code. No action by the City, such as issuing of a permit, implies by the City to violate any deed restriction. Where a local deed restriction coincides with a property enacted provision of the Municipal Code the City has the right to enforce that deed restriction.

#### **SECTION 1:**

##### **GENERAL RULES AND REGULATIONS**

#### **1. Parking or Storage of Commercial or Recreation Vehicles, Boat and Boat Trailers**

- A. Overnight parking or storage of trucks, in excess of three-quarter (3/4) ton capacity and commercial vehicles are prohibited. The overnight parking of vehicles of any kind upon the public right of way is prohibited. The number of vehicles is limited by size of driveway, carport and garage, if applicable. No home should have more cars than fit therein. It is a City of Tamarac violation to park vehicles in the street overnight.
- B. Pick-up trucks and vans are restricted to three-quarter (3/4) ton capacity or less.
- C. No homeowner or guest may display any type of commercial sign or advertising, whether in an active or inactive enterprise, in any location on a vehicle parked overnight, or for an extended period. Day time parking of contractors performing services is exempt between **8 AM and 7 PM**.
- D. Parking of boats and trailers upon any land is prohibited, unless such are completely garaged.
- E. Temporary Parking for overnight guests is available at the clubhouse area. This parking space may be used in emergencies, only when the homeowner's regular parking area cannot be used (due to for example, construction work or some other contingency). This temporary period of time may not exceed 3 consecutive days for the same vehicle, in any 3 month period. Painting, widening, resurfacing, or replacing of driveways will be an exception to this rule allowing a 12-day permit. In the event that a scheduled function is being held at the Clubhouse, cars must be moved. A permit must be requested from the House Chair or other Board member and must be displayed on the vehicle while it is parked at the clubhouse.
- F. In the event that a homeowner requires more parking spaces in order to abide by rule (1) the homeowner may construct additional paved driveway space in front of their home, after first obtaining permission from the Board of Directors by

## Mainlands Section Four Civic and Recreation Association, Inc

4630 NW 46 Street  
Tamarac, FL 33319

### Rules and Regulations and Enforcement

submitting a survey with the size of the proposed driveway, and by following City of Tamarac Code Requirements. Approval and permit must first be obtained from the City of Tamarac (See City of Tamarac Code Chapter 24).

- G. The maximum width of the driveway may not exceed 24 feet or less based on lot size. No circular driveways are allowed. No lot shall have more than one driveway.
- H. No parking on the grass is permitted by any homeowner, visitor, guest, renter, or vendor at any time for any reason.
- I. Penalty for Parking Violations: Vehicles which do not conform to the parking rules of the Rules and Regulations (Section 1 A-L) will be subject to fines. For violation of any parking rule or restriction in this section, the Board can impose fines up to **\$100** for each day a violation continues as set forth in the Deed Restrictions Article IX (h).

The Board may keep a record of the time and date of the posting of a Notice on the vehicle in violation of the rules. In addition to the Make, Model and license plate number of the vehicle, a statement of the infraction will be noted.

- J. Vehicle Repairs. No major repair of vehicles is permitted. A major repair is any work on the vehicle motor, brakes, transmission, oil change, and frame, etc.

Emergency repairs to enable the vehicle to be moved are excluded if the work does not require more than eight (8) hours' time.

- K. All vehicles parking within the Community shall be properly registered and Display a valid license tag.

Unregistered vehicles will be reported to the proper authorities (police, code enforcement) within 48 hours of Notification to owner as set out in the Deed Restrictions.

- L. No one is allowed to park in the driveway or in front of a vacant house without the express written permission of the owner with a copy of same provided to the Board of Directors.

## 2. Erecting, Constructing and Altering of Structures

Homeowners shall submit an Application for Approval for Architectural Changes to the Board of Directors, along with a diagram for consideration. Once approved, plans must be submitted to the City of Tamarac for permits and approval. **NO WORK CAN BE STARTED UNTIL THE APPROVAL FORM IS SIGNED BY THE BOARD AND RETURNED TO THE OWNER(S).**

The Board shall have final approval and give due consideration to the characteristics of the community of the Mainlands of Tamarac Lakes

**Mainlands Section Four Civic and Recreation Association, Inc**

4630 NW 46 Street  
Tamarac, FL 33319

**Rules and Regulations and Enforcement**

Section Four as a retirement community and the ability of any proposed structure to harmonize with that concept. The Board is permitted to employ aesthetic values in making its determinations

**3. Building Repair and Improvements**

Building Permits are required for structural repairs. It is advisable to contact the City of Tamarac Code Enforcement office before making any repairs, to establish the need for a permit. Failure to do so may incur fines and in some cases complete removal or partial removal of such structure as directed by the City of Tamarac.

**4. Use of Homes (Classification R-1)**

No trade, business or profession, etc. or any other type of commercial activity shall be carried out upon any of the foregoing described lands except for those in-home businesses that have no employees, no high-volume traffic, no deliveries of goods for sale, require no signage on the outside of the lot, and requires meetings with non-residents.

All lots in the Mainlands Section Four Civic and Recreation Association, Inc. are restricted to the use of a single family, its household, and guests. No accessory buildings may be erected to furnish accommodations for an additional family.

**5. Use of Lands**

No fences shall be permitted anywhere within the subdivision,

Planter hedges should be thin and not to exceed the height of the base of the windows. Planters may extend two (2) feet from the foundation of the home in the front and rear yard ONLY. (See Deed Restrictions)

There is a limit to the number of trees and types of trees that are allowed to be planted and must be approved by the Board of Directors.

Outdoor clothes drying activities are restricted to the section of the yard that is not visible from the street. All clothes poles shall be such that they must be removed when not in use. There shall be no permanent clothes poles/lines.

No gravel or black-topped or unpaved parking strips are permitted, all parking and/or walkway extensions shall be reinforced concrete. Pavers for patios, front porches, or walkways must be by permission of the Board of Directors and the City of Tamarac Code Enforcement Board, if applicable, who may issue a permit for the work to be done.

**6. Garbage, Refuse and Weeds**

A. The City contracts for disposal of garbage refuse and weeds, and the cost is

## Mainlands Section Four Civic and Recreation Association, Inc

4630 NW 46 Street  
Tamarac, FL 33319

### Rules and Regulations and Enforcement

financed through the non-ad valorem tax of the City.

- B. Each resident must have a City Vendor supplied receptacle for storage, which can be closed and must be covered and placed out of plain view from the front and/or sides of a home. (Green lid for refuse and yellow lid for recyclables).
- C. Refuse (in Green lid receptacle) and bulk pick up is picked up Monday mornings. Refuse (in Green lid receptacle) and Newspapers, glass and aluminum recycling items (in Yellow lid receptacle) are picked up on Thursdays. Please follow City of Tamarac guidelines for bulk and recyclable pick up.
- D. Do not put out until after dusk the previous evening.
- E. Unsanitary conditions on private property are definitely stated to constitute a nuisance, since they are health and fire hazards and must be disposed of properly. These are:
  - 1. Dense growth of trees, vines or underbrush, all weeds, saw palmettos wide growth, rubbish, undergrowth, trash, fallen fruit, dead trees, standing or fallen, and construction materials.
  - 2. Permitting standing water.
  - 3. There is also a strong anti-littering ordinance enforced by the City of Tamarac.

#### 7. Maintenance Fees

Payments are due on the 1<sup>st</sup> day of each month. Payments made after the 15<sup>th</sup> of the month are considered delinquent. Owners delinquent in payments are subject to penalties that include interest, penalties, liens on their property and foreclosures. If a payment is over two months past due, it will be turned over to Collections for legal processing. At that point, additional fees will apply, therefore, it behooves owners to pay their maintenance fees in a timely manner.

The owner of any lot agrees to utilize the services of the companies contracted by Mainlands Section Four Civic and Recreation Association, Inc. and to pay the reasonable rates or charges, which may be charged for such services as established from time to time, or by changes in ordinance of the City of Tamarac, County of Broward, or State of Florida.

The above includes the pro rata share of costs including lawn maintenance, sprinkler system, and taxes, and for the operation, maintenance and repair of the recreation and parking facilities, including the Clubhouse and pool, located upon the following described lands. Parcel R of the Mainlands Section Four Civic and Recreation Association, Inc. according to the plat thereof, recorded in Plat Book 68, Page 4, Public Records of Broward County, Florida. The above reasonable costs are to be payable in equal monthly installments by each lot owner to Mainlands Section Four Civic and Recreation Association, Inc.

**Mainlands Section Four Civic and Recreation Association, Inc**

4630 NW 46 Street  
Tamarac, FL 33319

**Rules and Regulations and Enforcement**

Voting privileges are governed by Florida Statute 720.305 and can be suspended for non-payment of maintenance dues in accordance with Section 720.305FS, as amended from time to time.

**8. Grass Cutting and Trimming**

Grass cutting and trimming is provided as a part of the assessment package (monthly maintenance fees). It is understood by the homeowners that access over and through the land must be provided by homeowners for upkeep purposes. Adequate protection of (approved) plants, trees and borders must be provided by the homeowner, (i.e. concrete or ceramic edging). Cutters will not trim around unprotected areas or against fragile barriers. Care of (approved) trees, shrubbery and all other landscape maintenance is the homeowner's responsibility.

**9. Fertilization and Weed Control**

Fertilization and weed control is provided with the above service (not less than two (2) times per year) or as determined by need and best practices.

**10. Sprinkler Services**

Routine sprinkler service is provided by the Association as a common expense (i.e., which shall include, without limitation inspection to ensure water flow and the replacement of heads and nipples damaged during cutting of grass and trimming). Any cost or expense incurred by the Association in the maintenance, repair, or replacement of any portion of the sprinkler system damaged by the owner, or his or her family member, tenant, or invitee shall be the responsibility of the owner and an individual special assessment against the lot, collectible in the same fashion as any other assessment provided in the Declaration.

Call the Maintenance phone number (954-733-3009) for any sprinkler problems. You may also complete an Irrigation Work Order found in the bin outside the Clubhouse office door. Please leave your name, address and the nature of the problem. Also put out a red flag at the location of the problem. If the problem is in the back yard, a red flag is also placed near the front of the property near the road. Flags can be found in the Section Four clubhouse hanging in a container on the wall by the stage.

Homeowners **may not** install or increase the number of sprinkler heads or change the type of heads or add a diverter cover. Both of the above may increase water consumption and destroy the balance of water available in the system, usually diminishing flow in a neighbor's system.

**11. Complaints**

Complaints concerning services should be made directly to the Chairperson of Maintenance via the dedicated phone number (954-733-3009). No homeowner shall

**Mainlands Section Four Civic and Recreation Association, Inc**

4630 NW 46 Street  
Tamarac, FL 33319

**Rules and Regulations and Enforcement**

instruct or follow a worker performing his/her job. Complaints will be handled between the contractor and the Chairperson of Maintenance.

Written complaints should be placed in the Maintenance box or by request placed on the agenda of the next General Meeting. Please notify the President if you wish an item be placed on the agenda. All written complaints must be signed by the addressee or will be disregarded. Calls from persons who will not identify themselves will be terminated.

**12. Sale, Rental or Leasing, or Any Transfer of Title Including By Means of a Quit Claim Deed or Inheritance**

Owners must notify the Board of Directors in writing and arrange for buyers, renters or lessees to be interviewed by members of the New Residents Committee prior to closing or rental agreement. If a Quit Claim Deed is being considered, the Board of Directors must be notified in order for the prospective owner to complete an application, background and financial check, and interview as would be required of any prospective buyer.

If the property is acquired due to inheritance, the Association must be notified in order that an application and further information be obtained for the Association records. *In addition, a document showing proof of property transfer by inheritance must be provided to the Association.*

A non-refundable administrative fee shall be assessed against the Applicant(s) at that time (except as it applies to a rental. The rental fees are assessed against the owner of the property which he/she can then assess against the Renter).

At least one full time occupant must be 55 years of age or older. Children under the age of 18 years are not permitted as permanent residents. Buyers must have a credit score of 700 or higher and Renters must have a 650 credit score or higher. See Deed Restrictions for any other requirements.

Visitors under the age of 18 must be supervised by resident.

Children under eighteen (18) years of age are permitted to visit for a total of 30 days and nights in a twelve (12) month period, in the aggregate.

All occupants must provide proof of dates of birth with a photo ID such as a driver License, State ID card or passport.

All homes are restricted as single family residences and are limited to a maximum of 4 permanent approved residents per home.

Owners planning to rent or lease their homes must do so no more than once per year for a minimum of 3 months and maximum of one (1) year (same occupants who have gone through the application and interview process for approval). All prospective Renters must

## Mainlands Section Four Civic and Recreation Association, Inc

4630 NW 46 Street  
Tamarac, FL 33319

### Rules and Regulations and Enforcement

be approved by the New Residents Committee and make application to the Board of Directors. Transients are not permitted. New owners cannot rent the residences for the first two years after purchase of the home.

**NOTE:** Leases shall be renewed annually and a copy of the new lease must be provided to the Association by the property owner each and every year of rental occupancy.

**NOTE:** *If an owner has outstanding fees owed to the Association, Florida Statute 720.3085(8) allows that the Association may require the Renter to pay their rent directly to the Association until such time as all monies owed are paid in full. Renters cannot be penalized by the Owner for doing so. See this Statute for details.*

It is the intent of the Association to have homeowners residing in our community. As such, investors must sign an Affidavit stating that the Affiant is purchasing the property in order to make repairs and improvements to the house and intends to sell the property within a six month period. And Affiant understands that he/she/they will pay six (6) months' Maintenance Dues, in advance as provided in the Deed Restriction Article IV, Section H (1).

No homeowner or investor shall own more than two homes in the Mainlands Section Four Civic and Recreation Association, Inc. at any one time.

It is the duty as well as the responsibility of each homeowner who plans to sell, lease or rent his or her home, to provide the intended lessee, tenant or purchaser with an updated package of information, including Governing Documents (Deed Restrictions and By-Laws) and Rules and Regulations, informing the prospective person or persons, of the fact that Mainlands Section Four Civic and Recreation Association, Inc. is a Mandatory Homeowners' Association. As a member of the Association, assessments are incurred and if not paid a lien may be placed against their property. To avoid penalties and/or fines, there are rules and regulations to which they must conform. If the Association provides the copies, the seller is responsible for the charge of \$25.

Florida law provides that each prospective homeowner must be presented a "Disclosure Summary" before executing the contract for the sale of a home. This Disclosure Summary must be supplied by the parcel owner (seller) to the prospective purchaser (buyer). The "Disclosure Summary" should contain, including, without limitation, the following, as more specifically set forth in Section 720-401 of Florida Statutes, as amended from time to time.

1. As a purchaser of the property in this community, you will be obligated to be a member of the Homeowners' Association.
2. There have been or will be recorded restrictive covenants governing the use and occupancy of the properties of the community.
3. You will be obligated to pay assessments to the Association. These

## **Mainlands Section Four Civic and Recreation Association, Inc**

4630 NW 46 Street  
Tamarac, FL 33319

### **Rules and Regulations and Enforcement**

- assessments may be subject to periodic changes.
4. Your failure to pay these assessments could result in a lien on your property.
5. There may be an obligation to pay rent or land use fees for recreational or other commonly used facilities as an obligation of Membership in the Homeowners Association.
6. The restrictive covenants cannot be amended without the approval of the Association membership per Deed Restrictions and By-Laws.
7. The statements contained in the disclosure are only summary in nature and as a prospective purchaser you should refer to the covenants and the Association Governing Documents for complete details.

#### **13. New Residents Committee**

A " New Residents' Committee" is made up of certain board members and appointments made by the Board of the membership at large.

Members of the New Residents' Committee are not allowed to meet with or speak to a prospective buyer or renter prior to the application process. Any questions that buyers may have regarding the rules and regulations, deed restrictions and by laws of the Association should come through their real estate agent or the sellers. The sellers are responsible for providing the Deed Restrictions, By Laws and Rules and Regulations to the buyers at or before the signing of the contract for sale.

Upon a contract of sale or lease, the agent or the seller or homeowner must provide a copy of the contract for sale or lease to the chair of the New Residents Committee/Association. Once the contract is provided, the application package will be provided. The application fee as determined by the Board from time to time, must accompany the completed application packet from the buyer or renter.

#### **14. House Exterior, Roof Cleaning and Painting**

In order to maintain the aesthetic qualities of the community, the exterior of all homes must be kept in good repair, painted periodically to present a clean and uniform surface etc. This includes being free of mold, mildew, and peeling paint. The color of all homes must be in keeping with the community decor with the Board of Directors having final approval of exterior colors. Driveways must also be maintained to be clean and free of discoloration and oil stains.

You are required to maintain the clean appearance of your roof as required by the City of Tamarac Code. Also, if you do not have a tile roof but have any other type of covering, your roof must have a clean appearance, free of discoloration and stains as required by the City of Tamarac Code.

In the event your home maintenance is neglected, the Association has the right to notify

**Mainlands Section Four Civic and Recreation Association, Inc**

4630 NW 46 Street  
Tamarac, FL 33319

**Rules and Regulations and Enforcement**

the City of Tamarac Enforcement Office for necessary action. The Association also has the right to proceed against the lot owner by whatever legal remedy is available to them.

**15. Animals (City of Tamarac Code Must Be Complied With)**

- A. No animals are allowed to roam at large. A wandering pet may be picked up by authorized City of Tamarac officials, and retained for five (5) days, by animal control at the owners' cost. No pet may be "tied out" on the exterior of a home for more than one (1) hour at a time.
- B. Animals must be contained or restrained on a leash no longer than eight (8) feet, when off the owner's premises.
- C. All animal bites or other bodily damage to others must be reported by the owner, within twenty-four (24) hours of the incident to the police department and/or other appropriate authorities.
- D. Persons walking an animal are required to carry a scoop or similar visible device or bag to remove excrement left by the pet on any property including the owner's and then place it in the proper receptacle on the owner's property. Blind persons assisted by a guide-dog are exempt. Persons convicted of a violation of this ordinance can be fined up to \$500 or imprisoned for up to ninety (90) days or both. (See Tamarac Code). Please do not allow your dogs to urinate on a homeowner's personal property such as trash receptacles, bulk pickup (for the sanitation of the garbage vendors) or vehicle tires.
- E. No more than three domestic (3) pets may be a part of any single household.
- F. Persons walking an animal must not allow their pet to wander back in and through any property but must comply with the spirit of the "curbing law". Keep your pet tethered near the streets edge not allowing the pet leeway to roam freely over and throughout your neighbors' property.
- G. Leashes which have an automatic recoil device allowing a pet more leeway than the legal eight (8) feet are not permitted on any lot other than the owner's.
- H. **Pets of any kind are not permitted on the premises of the Recreation area particularly in activities areas and most especially not within the fenced in area around the swimming pool or in the swimming pool itself.**
- I. **No feeding of ducks or other wildlife is allowed.**

**16. Nuisances**

No nuisances or any use or practice that is the source of unreasonable annoyance to

**Mainlands Section Four Civic and Recreation Association, Inc**

4630 NW 46 Street  
Tamarac, FL 33319

**Rules and Regulations and Enforcement**

others, or which interferes with the peaceful possession and proper use of the property, is permitted. No firearms shall be discharged within any of the community property. (This does not apply to Stand Your Ground Laws.)

Local ordinance for noise abatement must be obeyed. Excessive noise is a nuisance to your neighbors and a City of Tamarac violation.

It is unlawful to dump oil, paint, refuse, insecticides and any other poisonous or noxious chemicals in the storm sewers or canals including cigarettes and animal refuse.

**Mainlands Section Four Civic and Recreation Association, Inc**

4630 NW 46 Street  
Tamarac, FL 33319

**Rules and Regulations and Enforcement**

**SECTION 2:**

**RECREATION AREA RULES AND REGULATIONS**

**1. Recreation Corporation's Function**

Recreation Board events are designed as a means to bring the community together, not solely to generate funds. All funds generated must be used to promote further social functions and may be used for the purchase of items that will enhance the pleasure of the membership and the utility of the common grounds.

**2. No Smoking**

Smoking is not permitted within the confines of the clubhouse. This includes restrooms and is meant to include all areas within the perimeter of the building walls. For the purposes of this provision, the term "Smoking" shall include, without limitation, carrying, burning, or otherwise handling or controlling any lit, smoldering, or electronically activated product containing tobacco or other products, including, but not limited to, cigarettes, cigars, pipes, electronic cigarettes, and/or any other product capable of producing vaporizing material.

Smoking is permitted only in the designated smoking areas, away from doorways and windows.

Violators who ignore this rule may lose clubhouse rights and may be subject to fines. Fines levied pursuant to this paragraph may be in an amount of up to One Hundred (\$100.00) Dollars per day of the continuing violation, up to a maximum amount permitted by Florida Law and our Deed Restrictions.

Smokers outside the clubhouse area are required to dispose of butts in the proper receptacle provided.

**3. Use of Common Areas and Facilities**

As members you are asked to respect the rights of all co-owners and adhere to and obey the Rules and Regulations of the Community.

The recreation area is the focal point of community activity. This is where cooperation and trust between residents is borne. Animosity, hate and lack of respect for human rights can also develop and polarize and ruin community spirit if handled improperly.

Please be sure to lock all doors upon ingress and egress. This includes the Clubhouse doors, bathroom doors both interior and exterior, and pool gates.

By virtue of being a property owner you have no authority to enforce the Rules and Regulations. Only authorized persons may carry out the enforcement procedures. The

## **Mainlands Section Four Civic and Recreation Association, Inc**

4630 NW 46 Street  
Tamarac, FL 33319

### **Rules and Regulations and Enforcement**

Vice President or a member of the Board does have such authority within the limits of the law.

If a violation is witnessed, report the details of the alleged violation, as well as the type and location of violation, to the Vice-President or President of the Board of Directors for proper action.

After using the facilities, it is expected that you will leave the area or equipment in the same or better condition when you have finished with your activity, including being sure all doors and gates are locked. Janitorial and cleaning services are performed not less than once a week. Your cooperation will be appreciated by all.

No announcements of a coming event in another clubhouse and/or "for sale" or "for rent" signs may be posted on the interior bulletin board for more than 30 days. All signs and notices must have the posted date printed on them or they will be disposed of. The Publicity Chair or assigned Board member will organize and maintain the clubhouse bulletin boards, both interior and exterior.

It is agreed that Section Four residents may borrow certain tables and chairs but such equipment must be checked out and in by the House Chair or assigned board member and returned in good condition in a timely manner.

It is understood and agreed that the Association will not undertake any campaigns for contributions to established charities such as heart, cancer, etc. or any political candidates or campaigns.

It must be completely understood that in all cases Association sponsored activities have priority regarding the use of the Clubhouse and/or common areas.

When certain scheduled programs occur or are in progress, that group's presence must be respected and not interrupted in any manner (i.e., scheduled social affairs, meetings, etc.). No other activity or interruption should occur. Some activities may occur simultaneously and harmoniously. (For example: card games and pool.) Others may not (Board Meetings and card games).

Certain clubhouse areas are locked and may only be accessed with the permission of a designated key holder. This is done to keep control of inventoried stored items, etc. for specific uses, and must be respected.

The Mainlands Section 1 through 5 have a "no solicitation" rule. Please advise anyone that is soliciting of this rule and advise that the police will be called if they do not leave the Mainlands.

## Mainlands Section Four Civic and Recreation Association, Inc

4630 NW 46 Street  
Tamarac, FL 33319

### Rules and Regulations and Enforcement

#### 4. Pool Rules

These rules have been formatted to ensure the safety and health of Mainlands Section Four Civic and Recreation Association, Inc. residents and their guests. Adherence will also assist in maintaining the proper use and function of pool equipment. All residents and guests are required to observe and comply with the following rules.

- A. The pool and the area surrounding it are restricted to the use of residents of the Association and their guests. **A Pool Key** is required to enter the pool area. All must register **all names and full street address, along with whose guest they are,** in the Association Guest Book located in the patio area. This is an insurance requirement
- B. Use of the pool is at the swimmers' risk. The Civic Association is not responsible for accidents.
- C. Swimmers must shower (no soap) before entering the pool.
- D. The railing leading into the pool must be kept clear for safe entry and exit from the pool.
- E. No children not potty trained are allowed in the pool.
- F. Children under Fifteen (15) must be accompanied by an adult.  
  
*Grandparents, Parents and Homeowners' who allow children or other guests to use the pool shall be responsible for any damages or injuries sustained as a result of that use of the pool, the pool deck or other recreational facilities.*
- G. Running, jumping or rough play is not permitted anywhere in or around the pool.  
**DIVING IS STRICTLY PROHIBITED.**
- H. No glassware of any kind is permitted in or around the pool area. No food or drink permitted within five (5) feet of the pool.
- I. Metal hair clips or similar fasteners shall be removed before entering the pool.
- J. Persons riding bicycles to the pool must use the stands near the west/Monterey pool gate entrance. Do not leave any type of vehicle on or near paths.
- K. Persons with wet bathing suits may not enter the clubhouse as dripped water is dangerous and creates slippery floors. Emergency use of the phone is an exception.
- L. Access to restrooms is available from the east side exterior entrances using the same key as to enter the pool area.

**Mainlands Section Four Civic and Recreation Association, Inc**

4630 NW 46 Street  
Tamarac, FL 33319

**Rules and Regulations and Enforcement**

- M. Bathing suits must be worn at all times. Nudity is not allowed.
- N. Throwing of any object into or outside of the pool is prohibited.
- O. Chairs and lounges must be returned to proper arrangement when leaving.
- P. **PETS ARE NOT PERMITTED IN THE POOL OR POOL AREA. THESE RULES WILL BE STRICTLY ENFORCED.**

**PLEASE NOTE THIS POOL IS UNGUARDED, ALL WHO USE IT DO SO AT THEIR OWN RISK.**

**THE ASSOCIATION RESERVES THE RIGHT TO EXCLUDE AND PROHIBIT ANYONE FOUND IN VIOLATION OF THESE RULES FROM USING THE POOL, THE POOL AREA OR THE OTHER RECREATIONAL FACILITIES, IN ADDITION TO OTHER REMEDIES, FINES MAY BE LEVIED AS A RESULT OF VIOLATION OF THE POOL/RECREATIONAL FACILITIES RULES.**

**5. Lawn Games Area Rules**

- A. All lawn games can be found in the Clubhouse and any resident of Mainlands Four may use them with care and respect.
- B. Games are to be returned clean and in their original condition and/or container.
- C. Games may be used during daylight hours.
- D. The area to play these lawn games is the field to the east of the Clubhouse (to the left of the Clubhouse as you face it from the road).
- E. If games are damaged in any way, please notify the House Chairperson.
- F. No dogs are allowed in the Lawn Game Area.

**6. Rules Regarding Exclusive Use of The Clubhouse**

- A. The clubhouse may only be reserved by the owners of lots within the Mainlands Section Four. Renters and Guests shall not be permitted exclusive use of the Clubhouse. The House Chair or assigned Board Member has the right to deny or accept the exclusive use of the clubhouse to any person or persons. If a denial is made, the person has the right to appeal to the Board of Directors for reconsideration.
- B. Contact the House Chair or assigned Board member to reserve the clubhouse. The Clubhouse may only be used by the person/group and their guests and invitees approved by the House Chair or Assigned Board member in advance. No person

## Mainlands Section Four Civic and Recreation Association, Inc

4630 NW 46 Street  
Tamarac, FL 33319

### Rules and Regulations and Enforcement

may assign his or her right to use the clubhouse. All requests to use the clubhouse must be delivered to the House Chair or assigned Board member on a first come first served basis. The forms can be found outside the Clubhouse office door or by contacting the House Chair.

- C. The clubhouse may not be used for and function that is a commercial, retail, religious, political, or charitable organization **unless the functions are sponsored and/or approved by the Board of Directors** in accordance with what is stipulated in FS 720.304. No fundraising is allowed except as is sponsored by and for the benefit of Mainlands Four.
- D. The person requesting use of the clubhouse must clean up after the exclusive use. Any tables, chairs or other furniture must be returned to the place it was situated before the exclusive use. Any decorations, etc. must be removed. The person requesting exclusive use shall bear responsibility for any damages to the clubhouse (or the personal property therein) as well as assume responsibility for any costs sustained or incurred by the Association for clean up or repair of the clubhouse due to the exclusive use. The Board of Directors requires the person to purchase a single event liability insurance for an exclusive use for 20 or more people naming the Association as an Additional Insured. There are additional insurance requirements if alcohol is being served. See Section 6.J. and Application for Use of the Clubhouse Agreement for further information.
- E. The Board of Directors reserves the right to terminate the exclusive use by any person or persons creating a nuisance or source of annoyance to the neighboring residents.
- F. When exiting the building, the person requesting exclusive use shall see to it that all of the doors and windows are closed and locked, including interior and exterior bathroom doors. All appliances, lights (with the exception of the security lights) shall be turned off. Ingress and egress from the clubhouse shall be by the front doors only (unless there is an emergency).
- G. Only the Clubhouse may be used in connection with the exclusive use for residents only. The pool and lawn games areas cannot be reserved for exclusive use.
- H. The resident reserving the exclusive use shall be charged a refundable Security Deposit of \$250.00 for cleanup and damages. This security deposit is set by the Board of Directors from time to time to be used by the Association for any damages or expenses incurred as a result of the exclusive use. This includes additional cleaning costs, if any. If the cost of repair or cleanup is more than the security deposit, the person who reserved the Clubhouse shall be responsible for the additional costs. If no damages or expenses incur, the Security Deposit shall be refunded.

Note: This fee is waived if the sole purpose of the exclusive use is for a Memorial or

**Mainlands Section Four Civic and Recreation Association, Inc**

4630 NW 46 Street  
Tamarac, FL 33319

**Rules and Regulations and Enforcement**

Celebration of Life for the death a Mainlands resident. It is expected that cleanup will be done/arranged by the person reserving the exclusive use.

- I. The lessee shall also be responsible for any injuries or damages that may occur and shall further bear responsibility for any alcohol consumption on the property. Permitting persons under the age of twenty-one (21) to consume alcohol on the premises is prohibited. The Board of Directors requires the resident(s) reserving the clubhouse to purchase event insurance, and added liquor liability insurance if alcohol is being served, which names the Association as an Additional Insured.
- J. There shall be a \$250.00 nonrefundable charge per event for reserving the exclusive use of the clubhouse of twenty to a maximum of 100 people.

Note: This fee is waived if the sole purpose of the exclusive use is for a Memorial or Celebration of Life for the death a Mainlands resident. It is expected that cleanup will be done/arranged by the person reserving the exclusive use.

- K. No pets are allowed in the Clubhouse except for assistance animals.

**Mainlands Section Four Civic and Recreation Association, Inc**

4630 NW 46 Street

Tamarac, FL 33319

**Rules and Regulations and Enforcement**

**SECTION 3:**

**RULES AND PROCEDURES REGARDING THE INSPECTION AND PHOTOCOPYING OF ASSOCIATION RECORDS**

**1. Records Defined**

The Official Records available for inspection and copying are those designated by Sections 720.303(4) and (5) of the Florida Statutes, as may be amended from time to time.

**2. Persons Entitled to Inspect or Copy**

Every member or the member's authorized representative, as designated by the member, in writing, shall have the right to inspect and/or copy non-confidential and non-privileged Official Records of the Association pursuant to the following rules.

**3. Inspection and Copying**

- A. A member, or a member's authorized representative, desiring to inspect the Official Records shall submit a written request to the office of the Association by certified mail. The request must include the date and times when requesting party is available to review the requested materials during reasonable business hours or at such time as the Board may deem reasonable. The Association will make a good faith effort to accommodate such request, but cannot guarantee that the time and/or date requested will be available.
- B. No member or authorized representative shall submit more than one (1) written request for inspection or copying in a thirty (30) day period. Further, no member or authorized representative shall be permitted to inspect the records for more than one 8-hour business day in a thirty (30) day period.
- C. All inspection of records shall be conducted at the Association's office or at such other location within 45 miles of the Community as designated by the Association. No member or authorized representative shall remove original records from the location of inspection. No alteration of the original records shall be allowed. No member may insert any documentation into the Official Records during such record inspection.
- D. Records shall be made available by the Association for inspection as required by Florida Statutes. This time frame may be extended by written request of the member or authorized representative. In addition, this time frame shall be extended in the event records are so voluminous, in the hands of the Association's accountant for preparation of the periodic financial report or otherwise in such condition as to render this time frame unreasonable. The Association shall notify the member or authorized representative, by telephone or in writing, that the records are available and the time, date and place for such inspection. Further, the Association may make the records available electronically via the Internet, or by allowing the records to be viewed in an electronic format on a computer screen and printed upon request. Inspection shall be made during normal

## Mainlands Section Four Civic and Recreation Association, Inc

4630 NW 46 Street  
Tamarac, FL 33319

### Rules and Regulations and Enforcement

business hours of a working day. For the purposes herein, the terms "working day" shall mean Monday through Friday, exclusive of federal, state and local holidays in which the office of the Association is closed. For purposes herein "normal business hours" shall be the hours that the Association office, or the location where the records are inspected, is customarily opened. The records inspection may take place during the hours of 9:00 a.m. to 5:00 p.m., Monday- Friday.

- E. If a member or authorized representative desires to obtain a copy of any record, the member or authorized representative shall designate in writing which record is desired or in the alternative shall designate such record by use of a tab or clip upon the pages desired. Any written request shall designate the specific record or portion thereof. In the interest of maintaining accurate and organized Official Records of the Association, such records shall not be substantially removed from their original locations or disarranged in any way. If the location of inspection has a functioning copy machine, then copies of the record shall be available during the inspection, so long as payment was made with cash. Otherwise, if payment is made by check, records will be available immediately after confirmation of clearance of the funds. If the location of inspection has no copy machine, then copies shall be made available upon return of the records from a copying service. In the event the above-referenced time frame is impracticable due to the voluminous nature (e.g., more than 25 pages) or condition of the records, then copies will be made available as soon as is practical. Further, the Association shall allow a member or authorized representative to use a portable device, including a smartphone, tablet, portable scanner, or any other technology capable of scanning or taking photographs, to make an electronic copy of the records in lieu of providing the member or authorized representative with a copy of such records.
  
- F. A member or authorized representative shall pay the reasonable expense of copying in the amount of \$.25 per page for copies made on the Association's photocopier. Payment in advance of copying shall be required. If the Association does not have a photocopier available where the records are kept, or if the records requested exceed 25 pages in length, the Association may have copies made by an outside copy service, and may charge the member the actual costs of copying, as supported by the invoice by the outside copy service, as well as the costs required for personnel to retrieve and copy the records, if the time spent to retrieve and copy the records exceeds one-half hour and if the personnel costs do not exceed \$20.00 per hour. The Association shall be entitled to charge a member any additional costs related to the inspection and copy of records, as may be authorized by the Florida Statutes, as they may be amended from time to time.

#### 4. Manner of Inspection

- A. All persons inspecting or requesting copies of records shall conduct themselves in a quiet, respectful, businesslike manner. Any abusive or threatening language or behavior against Board representatives, Association employees or other persons present shall not be tolerated and will constitute sufficient grounds for termination of the inspection.

**Mainlands Section Four Civic and Recreation Association, Inc**

4630 NW 46 Street  
Tamarac, FL 33319

**Rules and Regulations and Enforcement**

- B. Confidential and privileged records of the Association are exempted by Section 720.303(5)(c) of Florida Statutes from inspection by the member or authorized representative, and shall not be made available for inspection. Any attempt to copy or review confidential or privileged information, after one warning, shall, likewise, be grounds for termination of the inspection.
- C. No inspection request is continuing in nature. Incomplete records, or records in the process of being created, are likewise exempt from inspection. Upon completion of preparation of such records, same may be inspected upon submission of a proper request to do so.
- D. All persons inspecting or requesting copies of records shall not interfere with the operation of the Association office or office where the records are otherwise inspected or copied.
- E. The Association office, or office of inspection, shall assign at least one person to monitor the inspection. All communications during inspection shall be directed to that assigned person.
- F. The Association shall have the right, but not the obligation, to maintain a log detailing:
  - 1. The date of written request for inspection;
  - 2. The name of the requesting party;
  - 3. The date of availability of records for inspection or copying;
  - 4. The date of actual inspection or copying;
  - 5. The signature of the person inspecting or copying acknowledging receipt of the records.
- G. The Association is not required to organize or assemble records in any particular manner for an inspection, except for the convenience of the Association.

**17. Enforcement of Inspection and Copying Rules**

- A. Any violation of these rules shall cause the immediate suspension of the inspection or copying until such time as the violator agrees in writing to comply herewith.
- B. Any requests for inspection and copying not complying with these rules shall not be honored. However, the Association shall indicate the nature of the non-compliance to the requesting party.

**The Board of Directors may take any available legal action to enforce these rules, including the levying of a fine, as set forth in Chapter 720 of the Florida Statutes, as amended from time to time.**