

Del Webb®

STONE CREEK

RULES

&

REGULATIONS

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INTRODUCTION

The facilities and programs of the Stone Creek Community Association (Association) were developed specifically for our residents and their guests. They were designed and created with utmost care and consideration for the active-adult lifestyle and the personality of a Del Webb Community. The guidelines that follow were developed to enable you to more fully enjoy and understand the Association and its many benefits. Please take some time to read about your Association and its operating concept. The guidelines will clarify many new terms and policies while providing basic rules for the use and enjoyment of Association facilities and programs. As in all cases, rules are to assist in the orderly and safe use and application of Association programs, and they are meant to have some flexibility for interpretation. While all business endeavors of this magnitude must have rules, it is the intent of the Board of Directors that all programs be operated with total customer satisfaction in mind. Management, in turn, will target the highest level of customer service and program delivery for its primary objective. We encourage input and involvement from each resident and are committed toward using that energy to build upon and improve the initial program.

Please be reminded that the Operating Rules and Regulations serve only as a supplement to the Association Governing Documents. The attached information should not be considered an all-inclusive list of the operating guidelines and responsibilities of every homeowner.

As our community grows, the Board may adjust these rules and regulations to match the feedback from our residents. We appreciate your support in our endeavor to provide a safe and desirable environment for all of our residents to enjoy the numerous benefits of living in a Del Webb Community.

THESE RULES AND REGULATIONS ARE NOT A SUBSTITUTE FOR READING ALL OF THE GOVERNING DOCUMENTS. FOR A MORE DETAILED EXPLANATION OF THE GOVERNING DOCUMENTS, REFERENCE SHOULD BE MADE TO THE GOVERNING DOCUMENTS, INCLUDING THE COMMUNITY DECLARATION FOR STONE CREEK, THE ARTICLES OF INCORPORATION OF THE ASSOCIATION AND THE BYLAWS OF THE ASSOCIATION.

CHAPTER 1

STRUCTURE AND MEMBERSHIP

1.1 Age-Restricted Community: *Stone Creek* is an age-restricted community operated in compliance with all applicable state and federal laws. The community provides housing for persons 55 years of age or older, and each residential home, if occupied, must be occupied by at least one person 55 years of age or older. No person under 19 years of age may reside in any residential home for more than 90 days in any consecutive 12-month period.

1.2 Purpose and Legal Status: The STONE CREEK COMMUNITY ASSOCIATION, INC., a Florida not-for-profit corporation (the “Association”) was formed as a *Florida* not-for-profit corporation to own the common area property and to administer and govern the affairs of the community, to maintain and enhance the recreational, social and leisure-time interests of its members, and to preserve and enforce community-wide architectural standards. The golf course will be owned by the Pulte Homes Corporation (the “Developer”) or a third party owner and is not included as part of the Association common area.

- A. Legal Entity - The Association is a legal entity that is responsible for management, maintenance, operations, and control over all areas of common responsibility. Additionally, the Association is primarily responsible for the enforcement of the governing documents; the establishment of reasonable policies, rules and procedures regulating use of all common area properties; and for administering and enforcing the Design Guidelines. The Association, as an incorporated entity, is a private property owner in its own right, and it speaks through its governing documents and policies established by its Board of Directors. Members have specified privileges in the use and enjoyment of common area properties, but they have no proprietary interests.
- B. Governing Documents - The Governing Documents include, without limitation, the COMMUNITY DECLARATION FOR STONE CREEK (the “Declaration”), the Association's Articles of Incorporation (the “Articles”), and the Association's Bylaws (the “Bylaws”). The Declaration imposes mutually beneficial restrictions upon all common areas under a general plan of improvement, and establishes a flexible and reasonable procedure for the overall development, administration, maintenance and preservation of the common areas. The Articles form the legal basis for the Association by specifying its corporate purpose and delineating the corporate structure and function. The Bylaws more precisely define the Association's reasonable rules of governance, membership, management and administration.

1.3 Board of Directors: The Association is governed by a Board of Directors (the “Board”) that is empowered to exercise all powers and duties necessary and appropriate for the administration of the Association's affairs, and for performing all responsibilities and exercising all rights of the Association as stipulated in the governing documents, and as provided by law. Resident committees may also be appointed at the Board’s discretion in advisory capacities to make recommendations to the Board regarding such things as policies, procedures and programs of the Association.

1.4 Membership and Voting:

- A. Membership - Every Owner shall be a Member of the Association, and shall hold one membership for each Home owned. Co-owners shall share the privileges of such membership.
- B. Voting - Each Home shall be entitled to one (1) vote in the matters of the Association. Until Turnover, the Developer is entitled to nine (9) votes for each Home or Lot the Developer owns. Voting rights are more particularly defined in the Declaration.

CHAPTER 2

MANAGEMENT AND FINANCE

2.1 Management: To manage to operations of the Association, the Board is currently in an agreement with *Pulte Home Corporation through December 31, 2010*. Effective January 1, 2011 FirstService Residential will begin providing management operation services for the Association. The Executive Director of the Association serves as the senior manager of the affiliate providing sufficient numbers of qualified employees to oversee, coordinate and facilitate the Association’s day-to-day operation.

2.2 Assessments: Assessments levied by the Association shall be used to promote the recreation, health, safety, and welfare of the residents of the Properties, and for the improvement and maintenance of the Common Area and the carrying out of the other responsibilities and obligations of the Association under the Declaration, the Articles, and the Bylaws.

2.3 Asset Replacement Reserve Funds: A portion of each homeowner’s Installment Assessment is deposited into a separate Asset Replacement Reserve Fund (Reserve Fund) as may be required and determined by the Board. This interest generating account is used solely to purchase new and replacement capital assets. As part of the regular budget preparation process, the Board determines the Reserve Fund contribution annually. The identification of capital assets to be purchased is shown in the capital expenditure budget.

CHAPTER 3

ARCHITECTURAL CONTROL/DEED RESTRICTION

3.1 Community-Wide Standard: The standard of conduct, maintenance, or other activity prevailing throughout the properties is more specifically defined in the Declaration, Board policies, and the Design Guidelines. Collectively, the documents cited below and their terms define the Developer's general plan of development for the properties.

3.2 Use Restrictions and Easements: Identified in the Declaration, they specify limitations on the use of residential property, and authorized areas of property encroachment.

3.3 The Design Guidelines: Developed by the Developer, they are intended to provide homeowners with guidance pertaining to restrictions on land development, architectural and design control, or other restrictions pertaining to proposed new construction, or modifications to existing buildings, structures, or properties.

3.4 Enforcement of the Declaration: As noted earlier, the Declaration defines various restrictions on land building use, and the Association will aggressively and consistently enforce them. Reported violations will be promptly investigated and, if validated, sanctions imposed.

CHAPTER 4

MEMBERSHIP CARD, FEES, AND GUESTS

4.1 Membership Card:

Concept - Ownership of a Home entitles the Owner to full use of all Association facilities, and to priority for use over guests and other authorized visitors. In order to preserve the health, well-being and safety of the members, some facilities are administered and operated by Association chartered clubs. In these instances, Members are required to join the chartered club to enjoy proper and safe use of facilities and equipment.

- A. One Home/One Membership - There is only one membership for each Home owned. Up to a maximum of three (3) Owners, Occupants or combination thereof are authorized to use the Recreational Amenities and will be issued resident activity cards by the Association Lifestyle Office.

An Occupant is any individual, 19 years of age or older, who resides in a home for at least 90 days in a calendar year. Owners may be required to certify that an Occupant requesting a resident activity card meets the qualifications for facility use as stated in the Governing Documents

- B. Supplemental Resident ID Activity Cards – In no event shall more than three (3) persons residing at any single home be entitled to use the Recreational amenities without prior written consent of the Board. In the event that more than three (3) persons residing at any single

home desire are approved to use the Recreational Amenities, the Board is authorized to charge a reasonable fee for a supplemental ID activity card. Such fees shall be determined by the Board on an annual basis.

Supplemental ID cards must be renewed annually and the owner may be required to provide proof of the resident's continued residency. Any fees due must be paid in full at the time of card issuance or renewal and no refunds will be issued should the resident no longer reside in the home.

C. Transponders – Residents can purchase for a nominal fee a transponder (bar-code sticker) for their vehicle that provide drive-thru access through the community front gate. Transponders are intended only for the vehicles of Stone Creek residents. At the time of purchase, residents must present the vehicle registration document showing that the vehicle is registered in their name. If a vehicle with a transponder is sold, resident must notify the HOA office so that the transponder can be deactivated.

D. Lessor and Lessees - When leasing residential property, the Owner (lessor) continues to pay the Installment Assessment, but may not use Association facilities. The Lessor must temporarily surrender his/her resident ID activity card(s) to the Administration Office for the duration of the lease, as well as provide a copy of the lease. Lessees may then request a supplemental resident card, subject to a reasonable administrative fee.

E. Resale Transfer - The right to a resident ID activity card is based upon occupancy of a Home. When selling a home, the buyer (as part of the closing process) may be required to pay a resale transfer fee for the purpose of closing the sellers account and establishing a new membership account in the name of the buyer.

F. Non-Transferable Cards – All Members in good standing will be issued resident ID activity cards and must present their card to use Association facilities. Cards are not transferable and cannot be loaned.

4.2 Program Fees: In addition to the fees for Installment Assessments, which support the general management and administration of the Association, Special Use Fees and charges, will be assessed to support the cost of lifestyle programs and services such as classes, trips and special events. The Association adheres to a “No-Refund” policy for activity programs except in instances where the Association cancels a program.

4.3 Guests: Guests may be sponsored by a Member in any Association facility, subject to restrictions for health and safety. Guest use of facilities is limited to a maximum of six Guests per resident household/visit. However, if a resident has a large immediate family visiting them (i.e., son/daughter, grandchildren), that consists of more than six family members as guests, the entire visiting family, including their resident parents/grandparents, may use the Spa facilities together. The sponsoring resident must register all visiting immediate family members as guests at the Spa, and shall be responsible for all of their family members' actions and demeanor.

Resident ID cards are required to register a Guest. Guests are not permitted to bring other Guests of their own; all individual guests must have a Sponsoring Member. All Guests under the age of 18 are not age qualified and must be accompanied by a responsible adult age 18 or older while using any Association facility that allows usage by those under the age of 18. All Guests are expected to adhere to all rules and regulations.

Guests' use of the facilities is limited to Guests whose primary purpose is to visit Stone Creek residents. The Guest Use Policy is not intended to allow Guests access to association facilities on a repeat basis to supplement, replace or avoid purchasing membership to commercial exercise or pool facilities. It is understood that Association staff will monitor facility usage, and verify that all provisions are being adhered to. A Guest suspected of being in violation of this policy or its intent will be challenged and may be denied current and future access. In the event a Guest is determined to be in violation of the intent or rules of the Guest Use Policy, the Guests' sponsoring Member may be subject to disciplinary action/review per the Stone Creek Violation Procedures.

Guests residing within a 100 mile radius must register at the Élan Spa each day they use the Élan Spa or Resort Pool amenities and must remain in the company of the sponsoring Member at all times.

Guests age 18 and older who reside outside a 100 mile radius may register for up to 14 days use of amenities when accompanied by the sponsoring Member at the Élan Spa. Any requests for extensions to the above must be in writing and approved by the Board **prior** to the guest's arrival. Any extensions granted shall be subject to the terms and conditions as determined by the Board on a case-by-case basis. Guests must check in at the Élan Spa each day they use the Élan Spa or Resort Pool amenities, but are not required to be accompanied by the Sponsoring Member.

All Guests will be required to show proof of residency and age at time of registration.

Residents who have made a commitment to purchase a Home but have not yet closed are entitled to use the facilities upon purchase of a Future Member Guest Pass from the Association Lifestyle Office. The cost of the Guest Pass will be determined by the Board on an annual basis.

As the resident population expands, and the demand for facilities and programs increases, the Board can be expected to set additional limits on the number of guests and/or visits that a Member may sponsor.

CHAPTER 5

COMMUNITY RELATIONS AND DOCUMENT REVIEW

5.1 Community Relations:

A. Intranet Portal – The Association offers a lifestyle website, OurStoneCreek.net, that allows all residents to have valuable information instantly, including, but not limited to, important

Association business, special events, and lifestyle programs of interest. OurStoneCreek is assessable by any web browser using Internet Explorer 6.0 or higher. Computers will be stationed in the Social Center for those residents to access information who do not have the ability to access from their Home.

- B. Newsletter - The Association may also publish a monthly newsletter. This newsletter is intended to be a supplement of OurStoneCreek and is not intended to offer all information contained in Our Stone Creek. When published it will contain a master schedule of regular club meetings and activities.
- C. Advertising – The Association provides the lifestyle website and newsletter publication for informational purposes only and neither endorses nor promotes any of the products or services advertised within. Additionally, the Association assumes no responsibility for the statements made and reserves the right to refuse advertising for any reason. Advertisements may be subject to approvals by management or the Board. Any claims made by advertisers are strictly on their own and the publisher does not endorse or vouch for the quality of goods or services of any advertiser.
- D. Announcements – In addition to the Association lifestyle website and newsletter, time-sensitive and special announcements may be posted within community areas of the Social Center.
- E. Other - While management will make every effort to generate additional informational material through local newspapers, the scope and timeliness of such publication rests solely with the media.

5.2 Document Review: Important Association documents include the Declaration, the Articles, Bylaws, minutes of Board and membership meetings, policy resolutions, regular financial statements, and the annual audit report. These documents are always available for Member review at the Association's Administrative Offices. While these documents may not be removed from the premises, they may be copied at the expense of the Member.

CHAPTER 6

GENERAL USE POLICIES/FACILITIES

6.1 Use of Facilities and Assumption of Risk - All use of Association facilities and all participation in Association programs is purely voluntary. Correspondingly, the recreational nature of all Association activities and programs potentially involves some personal or physical risk on the part of the participant. Program participation by a Member or guest is, therefore, interpreted as implied acknowledgement and acceptance of the inherent risks.

The Association strives to consistently maintain its facilities in the highest quality condition. However, periodic wear and tear, as well as seasonal or climatic factors, may temporarily render an area in less than optimum condition. If such a condition occurs, Members and guests should immediately contact the appropriate facility supervisor or the Association's Executive

Director/Property Manager for assistance. If a Member or guest accepts facility conditions, the Association will assume that the facility is free of obstruction or hindrance.

The Association is not liable for personal injury or inconvenience sustained during the use of its facilities and programs. In ensuring that Members and guests are provided with a safe and enjoyable experience while using Association facilities, reasonably comprehensive policies, rules and signage have been developed. Prior to participating in any Association activity or program, Members and guests are encouraged to familiarize themselves with facility layout and operating policies and rules.

6.2 Conduct of Members and Discipline:

- A. **General Rule of Courtesy** - All Members are expected to abide by the Governing Documents and these rules, and to conduct themselves in a courteous and respectful manner at all times. Actions that jeopardize or otherwise interfere with the rights and privileges of others, use of profanity, or otherwise abusive or disruptive behavior will not be tolerated. All Members and staff should be treated with courtesy and respect at all times. Members shall refrain from fighting, "horseplay" or other conduct that may be dangerous to others. Conduct that threatens, intimidates or coerces is strictly prohibited and will not be tolerated. Indirect or direct threats of violence, incidents of actual violence against any Member is prohibited and may result in a suspension of use as to Association facilities.
- B. **Interference with Employees** - Any inattention to duty, or discourtesy on the part of an Association employee should be immediately reported to the Executive Director/Property Manager. However, under no circumstances will Members/guests interfere with, attempt to discipline, or otherwise direct employees in the course of Association business.
- C. **Safety Is Paramount** - Any Member or guest not adhering to the posted or otherwise obvious safety rules may be asked to leave. With respect to safety, proper decorum, and sanitation, the facility monitor's judgment will prevail in all instances. Any complaint relating to a facility monitor's decision may be later appealed to the Executive Director/Property Manager. However, until such appeal is heard, the facility monitor's decision stands. Arguing, being abusive, or being otherwise challenging to a facility monitor may result in disciplinary action.
- D. **Guests** - Conduct of guests remains the responsibility of the sponsoring Member. The sponsoring member will be held accountable for the actions of their guests including any rule violations.
- E. **Pets** - Commercial breeding of any animals is prohibited. Pets may be kept in a Home only so long as such pets or animals do not constitute a nuisance. No pet shall be permitted outside a Home unless such pet is kept on a leash or within an enclosed portion of the yard of a Lot. No pet or animal shall be "tied out" on the exterior of a Home, or left unattended in a yard or enclosed section of the home, or in the Common Areas. Pets must be walked on a leash. Pet owners are responsible for the activities of its pet and are responsible for cleaning up all

matter created by the pet. All pets are prohibited from entering all Recreational Amenities and Golf Course Areas except those trained to assist handicapped.

- F. Rule Infractions - Members charged with rule violations may be asked to appear at a hearing before the resident Covenants Compliance Committee and/or Board to explain and justify their actions. If the Board determines that a rule was violated in a willful, or otherwise deliberate manner, the Board may impose penalties including fines and/or suspension of facility use and privileges.

6.3 Dress Code: Proper dress is required in all Association facilities at all times. The Board may designate specific attire for specific facilities and locations. Unless otherwise specified, appropriate casual attire is required in all areas of the Association. Appropriate casual attire for men includes footwear, shirts, pants or shorts. For women, footwear, blouses/shirts and pants/skirt/dress/shorts are appropriate. Upper body garments must be worn in all activities, except for men using aquatic facilities. Appropriate athletic apparel is required in all indoor and outdoor sports areas, to include proper footwear. Golf shoes are only permitted on the golf course, and in the Golf Club Pro Shop. Only spikeless or softspike golf shoes are permitted.

6.4 No Smoking Policy: The Association provides a smoke-free environment for its members and guests and all Association buildings are designated as non-smoking areas. While smoking is permitted in most outdoor areas, the Board reserves the right to designate specific outdoor areas as non-smoking by posting appropriate signage.

CHAPTER 7

USE OF GOLF CARTS

7.1 Use of Golf Carts on Private Thoroughfares: The community of Stone Creek authorizes privately owned golf cart travel on designated streets within the Community. All golf carts will be required to meet minimum safety standards. Golf cart travel is permitted only within the designated boundaries of the Community and is not authorized on state, federal or county roads.

- A. Registration/Operation - Registration and operation of a golf cart on designated streets shall be in compliance with the provisions of the *Florida* Rules of the Road and the *Florida* Vehicle Code.
- B. Safe Working Condition - Carts must be in sound and safe working condition. No golf cart may be operated on a roadway unless, at a minimum, it has the following: brakes, a steering apparatus, tires, a rearview mirror, red reflectorized warning devices in the front and rear, a slow moving emblem on the rear of the cart, a headlight that emits a white light visible from a distance of 500 feet to the front, a tail lamp that emits a red light visible from at least 100 feet from the rear, brake lights, and turn signals. When operated on a roadway, a golf cart shall have its headlight and tail lamps lighted. A person who drives or is in actual physical control of a golf cart on a roadway is subject to all motor vehicle regulations including, but not limited to, DUI provisions. Storage of carts must be in compliance with the Declaration.

- C. Insurance - Liability insurance must be maintained on all golf carts, with the amount of coverage determined by the owner in consultation with the owner's insurance agent. Owners will be personally responsible for the conduct of anyone operating their cart, and for any damage caused by its operation on community property. Children under the age of 16 will not be permitted to drive a golf cart on community thoroughfares.
- D. Carts are allowed on the pedestrian trail but shall not be operated on community sidewalks, or on landscaped common areas at any time.
- E. Street Rules - Carts should remain to the right side of the road where community paths are not provided, allowing regular vehicles to pass without obstruction. In so doing, operators must remain aware of, and away from marked bike paths, and pedestrians shall be given due consideration and a reasonable right of way at all times. Skaters, bikers, pedestrians, and golf carts will all share the pedestrian trail running in conjunction with the major collector roads. Secondary collector roads do not have pedestrian trails, which will require golf carts to travel on streets.
- F. Subject to Association Rules - Allowance for golf cart street use is intended to be a privilege and convenience to Association members, and any actions, which threaten the safety and wellbeing of the membership, or otherwise infringe upon the rights of others, will not be tolerated.

CHAPTER 8

CHARTERED CLUBS AND GENERAL FACILITY OPERATING RULES

8.1 Chartered Clubs: Chartered Clubs are organizations that are sponsored by the Association to foster and promote opportunities to pursue a hobby, a recreational or cultural interest. Any group of Members who are interested in pursuing a particular hobby, vocation, or special field of interest may join together as a club and subsequently petition for an Association charter. Recommendations for approval of Club Charters will be submitted to the Executive Director/Property Manager. Approval of Association charters rests with the Executive Director/Property Manager and at times, may require review by the Board. Charters are granted based on membership need for a specific program, membership interest, and the availability of Association facilities and equipment. Chartered clubs are the operational nucleus for the Association's recreation program and provide both structure and vitality to its mission.

- A. Priority For Group Use of Facility - Chartered club status denotes priority for facility use, waiver of all facility fees, reserved facility space, administrative support from management, technical support from maintenance, and extended liability and Director and Officer liability insurance coverage through the Association's policies.
- B. Sponsored By Association - Chartered clubs function as not-for-profit organizations within the organizational purview of the Association, and are often provided with either material support or financial support. It is expected, therefore, that clubs generating excess monies,

over and above reasonable operating expenses and future needs, will return all or part of the excess to the Association.

- C. Chartered Club Rules - Rules and Regulations for Chartered Clubs are more specifically detailed in a separate Association Chartered Club operating manual publication, and their more significant directions are summarized herein. Some of the more significant rules are as follows:
1. The use of Association facilities by individuals for the express purpose of generating personal monetary gain (through fee required instructional classes) is not permitted unless the activity is otherwise approved by the Association Board or Executive Director/Property Manager.
 2. Clubs may sell program-related supplies to club members, and may offer items made in club facilities to the general membership for sale. However, resale procedures will be clearly defined in club bylaws to ensure that proper documentation is maintained and that fair and reasonable pricing is offered. While the Association supports club resale activities as a means of program preservation and an opportunity to showcase club talents, there is no intent to provide a forum where individuals might foster a business operation in Association facilities, or otherwise use the facilities for personal monetary gain.
 3. Where clubs have been granted regular designated facility space, the Association has (essentially) delegated full-time operating responsibility to that club. In this manner, the Association is able to provide low cost instructional programs in an environment that must be necessarily structured and safe for use. In these situations, residents who desire to use the facility and avail themselves of club programs and activities must join the chartered club to enjoy the benefits of the program. This rationale is solely based on the need to protect both Association and club-purchased investments, the need for providing a safe and orderly working space, and the desire to establish a comprehensive leisure-time activity.
 4. Charters are not granted to clubs that require subsequent membership or affiliation in national, state, or regional organizations, or set a restrictive precondition for club membership. Also, charters are not issued to more than one club of similar design and purpose who would use the same dedicated facility.
 5. Non-craft clubs require a minimum of 25 interested members, and craft clubs require a minimum of 15 interested members to gain charter consideration. Once a club has been chartered it's the responsibility of its officers to maintain the membership at or above the minimum requirement. If the membership falls under the minimum the club shall do whatever is necessary to regain the require membership and submit an outline of what they intend to do to increase the membership to the CAAC.
 6. Membership is open to residents only, and non-resident memberships are not permitted. Guest privileges, however, may be extended in the same manner as they are for other

Association facilities except as follows: (i) After enjoying a club's hospitality for a reasonable period of time, resident guests may be asked to join for continued participation; and (ii) guests may be denied equipment use if they were unable, or unwilling to complete equipment training and safety courses prescribed for the regular club membership.

7. Operating hours are posted at the club location. Clubs not requiring specialized equipment/dedicated space will be offered shared multi-purpose space with other non-specialized clubs. The Club President is the facility monitor or record; however he may delegate that responsibility to another officer or club member.
 8. All craft clubs will provide a minimum 25% of their operating time as open work time for their members and guests. During these times, meetings, instructional classes or other planned activities will not be scheduled.
 9. All clubs using power equipment, or other equipment of a specialized nature must establish written safety rules and appoint a safety committee to oversee the program. If an individual cannot, or will not comply with stated operating and safety procedures, or, in the judgment of the club's executive board, cannot safely operate power, or other specialized equipment, the Board may suspend (only) those privileges related to the equipment in question. This type of action is not disciplinary, and is implemented only to protect the best interests of the Association, the club membership, and the individual. Any suspension of privileges may be appealed to the Executive Director/Property Manager.
- D. Scheduling Club Space - Responsibility for scheduling facility space, and otherwise assisting club activities rests with the Activities Director. Bylaws are required of every club and, once chartered, additional club rules and regulations are generally formulated to more precisely define club activities and programs.

8.2 Fitness Center/General: (Pools, Spa, Sauna, Steam Room)

- A. Operational responsibility for all fitness center areas including, but not limited to, the swimming pools, spa, sauna, steam room, and exercise areas rests with the Fitness Director. Facility monitors are tasked with overseeing related policies and rules. Resident use of facilities will be permitted during operational hours only. Maintenance of the facilities rests with the Association's Maintenance Supervisor. The Fitness Director is a qualified fitness instructor and is available to provide instruction on the use of fitness equipment and programs, and counseling on personal and group regimens. Facility monitors are generally trained in basic CPR/AED, but are in no way represented as fitness specialists, lifeguards, or as providing a qualified level of fitness or aquatic program supervision.
- B. Locker rooms and showers are provided for use and enjoyment of residents and guests. Lockers are available on a first-come, first-serve basis and keys will be provided upon check-in at the fitness desk. Locker and shower facilities are accessible for the physically

challenged. Clothing or personal effects should not be left unattended or unsecured in these areas, as safekeeping shall be the responsibility of the user.

- C. In the swimming pools and spa, chemicals are used to ensure a sanitary and safe water environment, and conditions are tested and documented on a regular basis. If unacceptable conditions occur, management reserves the right to close the facility at any time to preserve the health and wellbeing of members and guests.
- D. In Fitness Center exercise rooms and locker/shower areas, food or beverages are not permitted with the exception of bottled water in plastic containers. Beverages and snacks may be available for purchase at the Fitness Center and consumed only in designated areas.
- E. The Association may provide towels.
- F. All users are expected to comply with posted rules and verbal instruction from the Fitness Center staff.
- G. Children's Swim:
 - 1. Children under the age of 16 are not permitted use of the Fitness Center and/or indoor pool and spa facilities.
 - 2. Restricted hours for children's swim (persons under 19) may be designated for use of the outdoor recreational pool and spa and posted at the Fitness Center as well as publicized in OurStoneCreek.net.
 - 3. Any children under 18 should be under appropriate strict adult supervision.
 - 4. Anyone in normal (non-swimmer type) diapers is not permitted in any pool at any time. They are, however, permitted in the deck areas of the outdoor recreational pool at least 4' from the pool edge.
 - 5. Children under the age of 4 years and any persons not potty trained or susceptible to unexpected bowel movements or "bathroom accidents" must have a "swimmers diaper" for entry into the outdoor pool and within 4' of the pool edge. The Fitness Center typically will have an approved "swimmers diaper" for purchase.
 - 6. If a child's age is questionable, due to his/her size, a copy of the child's birth certificate may be requested for the front desk file to accommodate future visits.
 - 7. A maximum of 6 guests are permitted to accompany a resident household at any given time. Unaccompanied guests not 18 years of age are not permitted to use facilities at the outdoor recreational pool. The 6-guest rule also applies to guests sitting and watching on the pool deck and children in strollers.

- H. Hours of the Fitness Center will be posted on the door and will be adjusted to accommodate seasonal demands as determined by Fitness Director.

8.3 Fitness Center/Exercise Equipment Areas:

These areas are intended to promote low-to-medium range strength training, muscle toning and cardiovascular exercise. They are designed for individual, self-directed activities and small group training with fitness instructors or personal trainers. Additionally, these areas may be used from time to time for special events and group education programs.

- A. Prior to using this facility, members and guests must attend a basic fitness orientation and training program for the proper and safe use of exercise equipment. Training classes are scheduled on a regular basis for the convenience of members. While individualized programs can be developed for personal fitness needs, program focus is on the safe use of equipment and the fitness needs of the majority. The Fitness Director, or other Fitness Center staff, will not prescribe, or otherwise recommend any program intended to accommodate, or supplement a medical need or medically prescribed rehabilitation program.
- B. Prior to using this facility, or engaging in any form of fitness program, individuals should consult a physician.
- C. The equipment in these areas is designed for strength and cardiovascular training. All users are expected to observe the posted rules concerning proper and safe use.
- D. Children and guests under the age of 16 are restricted from use of this facility.

All residents and guests must sign in with the monitor on duty and show an ID card upon entering the facility and before using the equipment.

- E. Appropriate fitness apparel is required, to include upper body garments and proper footwear. Sandals, shower clogs, or other similar items and street shoes are not acceptable fitness footwear.
- F. Due to high resident demand, some equipment may be identified with a time limit for use. If there are no individuals waiting to use one of these items, individuals may continue their workout beyond the established time limit. Staff reserves the right to impose a reservation system on equipment if additional control measures are required.
- G. Following use, equipment should be wiped down with a towel. All portable equipment (dumbbells, beauty bells, exercise mats) should be returned to their proper storage locations.
- H. Food or beverages are not permitted in the equipment area with the exception of water in plastic bottles.
- I. Audio and television systems may be provided for the convenience and enjoyment of members and guests. Programs will be tuned to satisfy the interests of the majority, but the

final decision rests with the Fitness Director. Portable radios are permitted, but only with earphones.

8.4 Fitness Center/Exercise Studio:

- A. This facility is intended to promote a variety of safe exercise classes. Due to the nature of these programs, preference is given to group lessons and group instructional programs. Individuals may use this facility in a self-directed manner only when group programs are not scheduled.
- B. Prior to using this facility, or engaging in any form of fitness program, individuals should consult a physician.
- C. Children and guests under the age of 16 are restricted from use of this facility.
- D. Appropriate fitness apparel is required, to include upper body garments and proper footwear. Sandals, shower clogs, or other similar items and street shoes are not acceptable fitness footwear.
- E. Food or beverages are not permitted in the exercise studio, except for water in plastic bottles.

8.5 Swimming Pools:

A. General:

1. Pool hours vary based on seasonal demands, with specific times posted and publicized in OurStoneCreek.net. All wet areas, i.e., pool, showers, restrooms and locker rooms, will close 15 minutes prior to closing to allow staff time for facility clean-up. Outdoor pools are not lit for night use and will close at dusk. Member use is restricted to established hours of operation.
2. Anyone in normal (non-swimmer type) diapers are not permitted in any pool at any time. They are, however, permitted in the deck areas of the outdoor recreational pool at least 4' from the pool edge.
3. Any children under 18 should be under appropriate strict adult supervision.
4. Children under the age of 4 years and any persons not potty trained or susceptible to unexpected bowel movements or "bathroom accidents" must have a "swimmers diaper" for entry into the outdoor pool and within 4' of the pool edge. The Fitness Center typically will have an approved "swimmers diaper" for purchase.
5. Children under 18 may only swim in designated areas in the outdoor pool during children's swim hours and they must have adult supervision. Designated areas and children's swim hours will be posted in the Fitness Center. Children under 16 are not permitted in the indoor pool.

6. Members choosing to swim during the specified children's hours should be sensitive to the nature of youth activity and the presence of children in the pool environment.
7. All tables and chairs are not permitted in any pool or on the surrounding deck apron (within 4' of the pool edge).
8. Portable radios, other music devices, laptop computers, cell phones, or other electronic devices are not allowed in the pools, but may be used on the deck and lounge area with earphones or other muting methods as not to disturb other residents.

B. Sanitation:

Chemicals are used to ensure a sanitary and safe water environment, and conditions are tested and documented on a regular basis. If unacceptable conditions occur, management reserves the right to close the facility at any time to preserve the health and wellbeing of members and guests.

1. Food, beverages in non-glass containers, and small coolers may be used only in areas that are at least 4' from pool edge and not in or around pool or spa areas. Trash receptacles and other means should be used to prevent food, food containers, packaging, etc. from entering the pool or pool deck apron.
2. Food or beverages (including bottled water) are not permitted in any pool or on the surrounding deck apron (within 4' of pool edge). No glass bottled drinks or glass containers of any kind are permitted inside the pool fence area or Fitness Center pool or spa areas.
3. Swimsuits are required when in the pool for all swimmers regardless of age. Cut-offs or other forms of street clothes are not acceptable for swimming. Cover-ups, wraps, hats, water shoes, etc. are acceptable for protection from the sun or pool surfaces or for modesty purposes. All swimsuits and clothing should be age appropriate and not offensive including improper words, photos, or other markings.
4. Any person that is ill or has been ill with diarrhea, stomachaches, and pains, or vomiting is restricted from any Fitness Center spa, pool, pool deck, etc. areas to minimize spread of illness.
5. All "bathroom accidents" in the pool or on the pool deck apron must be immediately reported to Fitness staff to minimize possible exposure to residents.

C. Safety:

1. Lifeguards are not provided and facilities are designated as "Swim At Your Own Risk". Life buoys and "shepherd's crooks" are available at poolside for emergency use only.

2. The depth of the pools varies between Zero-entry to 6' and diving is not permitted at any time.

3. Pool Swim Aids:

Lap and exercise swimmers (in designated lap lanes) are allowed to use swim fins, snorkels, masks or goggles, hand gloves and kick boards.

Children and adults are allowed to use Noodles (up to 4" diameter, 58" long), infant floatie seats, goggles or masks, swim floatation belts, arm floats, small Nerf balls, Blowup or beach balls not to exceed 8" diameter and small soft rings.

Volleyballs maybe used at the volleyball net only.

Adults during adult hours will also be allowed any flotation/recreational device within reason, the following restrictions apply: Safety first, no sharp or potentially hazardous objects; respect others in and around the pool, do not bring large items that could adversely impact the pleasure of other pool users.

NOTE: The Elan Spa staff has the final say as to what items are and are not allowed

4. Small children in approved pools and under the direct supervision of an adult, or any adult may wear National Life Guard approved life vests, or other approved safety devices as a precautionary safety measure.
5. Alcoholic beverages are not permitted during normal operations, but may be authorized during special events. In no instance will alcoholic (or non-alcoholic) beverages be allowed in the pool.
6. Running, pushing, jumping from the pool side, excessive splashing, or other rowdy or boisterous behavior is not permitted. While we expect children to be reasonably controlled, some discretion will be exercised by staff in determining what is boisterous or otherwise unacceptable behavior. Residents are asked to please be reasonable in this respect when assessing children's behavior and the potential impact on other users.
7. If lightning is observed in the local area, residents and guests should vacate the pool and adjacent deck areas until a safe environment is restored.
8. Lane dividers may be used as a safety measure to separate lap swimmers from other pool users, properly guide the lap swimmer, and preclude injury from interference outside the lanes. Disturbing or hanging on the lane markers in any way is not permitted.

D. Special Events and Activities:

1. The Community Manager or Fitness Director is responsible for approving requests for special events. Once approved, the dates and times of special events will be publicized well in advance.

2. The Executive Director may authorize special group times for physically challenged groups or those desiring instructed aquatic exercise. In all cases, these times will be posted.
3. Special devices for the physically challenged, such as the entry ramps and handicap chair lifts, are self-serve and may be used at the member/guest discretion. Any member requiring specialized assistance should contact the Fitness Director or alternate staff member for instructions.
4. Unless a group activity has been authorized, a minimum of two lanes may be designated by signs at each end used for lap swimming. These lap lanes are not to be used for walking, or other non-swim activity. When both lanes are occupied, lanes will be shared, and individuals will swim to the right. If lanes are fully occupied and individuals are waiting to swim the time of use will be limited to 45 minutes.

8.6 Spas:

- A. Swimsuits are required. Cut-offs or other forms of street clothes are not acceptable. Cover-ups, wraps, hats, water shoes, etc. are acceptable for protection from the sun for outside spa or spa surfaces or for modesty purposes. All swimsuits and clothing should be age appropriate and not offensive including improper words, photos, or other markings.
- B. Children under the age of 16 are not permitted in the indoor spa. A responsible adult age 18 or older must be present for children between the ages of 16-17 in the indoor spa.
- C. Children under the age of 12 are not permitted in the outdoor spa. A reasonable adult age 18 or older must accompany children between the ages of 12 -17 in the outdoor spa.
- D. Swimming in the spa is not permitted, and vigorous exercise should be avoided. Spa water is maintained at approximate temperatures of 102-104 degrees Fahrenheit, and is intended to relax muscles. In this environment, exercise has a tendency to aggravate an ailment rather than improve it.
- E. While the time limit for use of the spa may vary from one member to another, 15 minutes is generally considered to be sufficient for muscle relaxation and general enjoyment. When exiting the spa, do so very slowly, using the steps and handrails.
- F. Individuals at risk with conditions such as hypertension, heart conditions, or those on medication for any reason should not use the spa without first consulting with a physician. Individuals who have recently consumed alcoholic beverages should avoid using the spa altogether.
- G. Food or beverages are not permitted in or around any of the spas or spa deck areas.

8.7 Pickleball and Tennis Courts:

- A. Outdoor Pickleball and Tennis Courts are available for recreational use and operational responsibility rests with the Fitness Director. When a court reservation system is not in use, use of the courts is on a first-come basis. As participation levels increase within the Community, additional rules or restrictions on duration of play may be designated. Maintenance of the facilities rests with the Association's maintenance Supervisor.
- B. Lights are available for nighttime play and will be controlled by an automatic timer.
- C. Appropriate apparel is required to include upper body garments. Rubber-soled tennis shoes must be worn at all times. Hard-soled footwear or street shoes are not allowed.
- D. All residents must have their Association membership card with them while using the courts. A resident sponsor must accompany guests.
- E. Courts will be open daily from 7:00 AM to 10:00 P.M. and subject to weather and maintenance requirements.
- F. When the Association provides lessons, they will be open to the entire community and a fee may be charged. Individuals or chartered clubs may arrange personal lessons on their own time and at their own expense.
- G. All players play at their own risk. If players encounter excessive water or debris on the courts, they should not begin play, but notify the Administration Office for assistance. If a minor problem is encountered, brooms and squeegees are available at courtside. Please help keep your facilities in top playing condition.

8.8 Bocce Courts:

- A. Outdoor bocce courts are available for recreational use. Operational responsibility for the bocce courts rests with the Fitness Director, and facility monitors are tasked with overseeing related policies and rules. Maintenance of the facilities rests with the Association's Maintenance Supervisor.
- B. Bocce courts will be open daily from 7:00 AM until 10:00 PM. Use is on a first-come basis. As participation levels increase within the community, additional rules and restrictions on duration of play may be designated.
- C. Upper and lower body garments must be worn at all times and soft-soled shoes are recommended.
- D. Dedicated time for Bocce ball play is granted to the Bocce Chartered Club. Open playtime will otherwise be assigned but will be suspended during the designated club pay periods.
- E. Guests under the age of 18 must be accompanied by an adult 18 years or older.

- F. Checkout equipment is available at the fitness monitor station.
- G. When playing the game, individuals should walk back and forth on the concrete walkways between the courts, rather than on the carpeted play surface. Please help to keep your facilities in top playing condition.
- H. Access boards allow entry onto the courts by the physically challenged. If unsure as to how the access board operates, assistance should be requested from the monitor.

8.9 Horseshoe Pits:

Horseshoes shall operate under the Fitness Department. Individuals are responsible for repairing pits at completion of play. Maintenance shall be assigned to the respective horseshoes Community Association chartered club. Community Maintenance shall be responsible for overall maintenance until such club is established. Horseshoe Pits will be open for play from dawn until dusk. Pits are to be used for horseshoes only.

- A. Guests under the age of 18 must be accompanied by an adult 18 years or older.
- B. Residents and guests should understand that operations and programs are generally unsupervised and that responsibility for participation in related activities are assumed at their own risk.
- C. The pits are for use by residents and guests on a first come basis except when otherwise scheduled for league play or competition.
- D. No betting or gambling is allowed at any time.
- E. Players shall limit pit time to 1 hour whenever other players are waiting.
- F. All players must wear proper shoes and attire. Shorts and shirts must be worn at all times.
- G. Glass containers, chewing gum, and tobacco products are not allowed in the pits.
- H. Use of abusive or foul language is prohibited.

8.10 Social Center/Activity Rooms:

A. General:

1. Operational responsibility for the Social Center activity program rooms rests with the Lifestyle Director. Maintenance of the facility rests with the Association's Maintenance Supervisor. Operating hours for all activities coincide with those of Social Center.
2. All set-ups, takedown and moving of tables and chairs will generally be accomplished by the Maintenance Department.

B. Ballroom and Activity Meeting Rooms:

1. Activity meeting rooms and Ballroom facilities may be reserved through the Lifestyle Director. Rooms will generally be provided at no fee to Association Chartered Clubs, for Neighborhood meetings and for resident activities sponsored through the Association. As the population evolves, the Board can be expected to set reasonable limits on the number of times facilities may be booked on a complimentary basis. Fees are charged for all reservations made for non-Association affairs, non-chartered clubs, or special events not under the sponsorship of the Association. The Board establishes fees for reserved use of facilities.
2. Operable walls provide added flexibility to configure rooms for small and large functions. Room capacities and various set-up arrangements can be obtained from management. Audio-visual equipment and individual room sound controls are also available.
3. Rooms may be decorated in good taste, but only with the advance approval of the Lifestyle Director. Under no circumstances will decorations be allowed that mar or otherwise alter the interior decor of the facility.
4. Catering services require advance approval from the Lifestyle Director. A copy of caterer's license, insurance, and workers compensation is required prior to event date.
5. Entertainment groups may be contracted by the Association, or by a sponsoring group. Due to sound system and electrical requirements, close coordination is required with the Maintenance Director. If professional film, script, production, or sound-type entertainment is provided, close coordination is required with Management and/or Board to ensure that proper licensing and/or royalty fees have been accommodated, or waived.
6. Alcoholic beverages may not be brought into this facility without the advance approval of the Executive Director/Property Manager or Board. The sale of alcoholic beverages and intoxication is strictly prohibited. Members are responsible for the actions of their guests. Persons deemed to be intoxicated would be required to leave the facility. Alcohol may be served only to persons age 21 or older.

C. Wall Street Room

1. Operational responsibility for this facility rests with the Association Office Manager. This area is operated on a self-serve, honor basis for residents only. Individuals requiring assistance on the use of the computers, or other equipment should inquire at the reception desk.
2. The Association provides a basic set of books and reading materials. At the discretion of the Board, the initial stock of reading materials may eventually be supported by material donations from residents.

3. Reference books, periodicals and newspapers must remain in the facility, and cannot be checked out, unless otherwise approved by management or Board.

D. Billiards Room

1. Children under the age of 13 are not permitted to use billiards tables.
2. An adult must accompany children ages 13-20 in the Billiards room.
3. When the room is not reserved for a club activity and players are waiting for a table, play is limited to 30 minutes.
4. No food or beverages allowed.

8.11 Business Center:

- A. General: The Community Association will operate a business center available for use by residents and their accompanied guests. The operation consists of a fax and copy service.
1. A small fee will be charged for the use of the copy and fax equipment to support the direct and indirect cost of services.
 2. Association Reception Desk staff will monitor payment of fees.

CHAPTER 9

OUTDOOR AND NATURAL AREAS

9.1 Outdoor Areas: There are various outdoor areas throughout the community that can be used for self-directed or passive recreation activities; e.g., bike paths, walking trails, courtyards, and open areas adjacent to Association facilities. All areas are unsupervised and caution should be exercised when using them. Where bike paths along streets are marked, riders should stay within the lanes and observe common bike safety rules. Access to the Developer owned golf course is prohibited except as authorized.

9.2 Enjoyment and Protection of Wildlife: The lakes, ponds, streams, and other bodies of water within the properties are primarily aesthetic and intended for limited uses such as recreational fishing. All fishing within Stone Creek is catch and release only. Lakes may only be accessed via Association common areas. Walking or crossing personal property is considered Trespassing and therefore prohibited.

Lakes surrounded by private property may only be accessed by residents whose property abuts the lake, and their guests. Residents whose property abuts a lake may only fish in the area directly between their property and the lake. As previously stated, walking or crossing personal property is considered trespassing and therefore prohibited.

Illegal parking is not permitted. All vehicles of any nature must park on designated surfaced parking areas only.

Releasing wildlife of any kind including but not limited to fish and turtles, placing any kind of plant life (living or dead), yard debris, or trash of any kind in any body of water is strictly prohibited.