

RESOLUTION NO. 2024-12

A RESOLUTION OF THE HERONS GLEN RECREATION DISTRICT AMENDING THE DISTRICTS' POLICIES AND PROCEDURES REGARDING GOLF CART TIRES; PROVIDING FOR GENERAL AUTHORITY; PROVIDING FOR SEVERABILITY; AND PROVIDING AN EFFECTIVE DATE.

BE IT RESOLVED BY THE BOARD OF SUPERVISORS OF THE HERONS GLEN RECREATION DISTRICT:

SECTION 1. AUTHORITY FOR THIS RESOLUTION. The Board of Supervisors (the "Board") of the Herons Glen Recreation District (the "District") is authorized to adopt this Resolution under the authority granted by the provisions of Chapter 418, Part II, Florida Statutes, as amended, Ordinance No. 98-08 adopted by Lee County, Florida on April 28, 1998, as amended, and other applicable provisions of law (collectively, the "Act").

SECTION 2. FINDINGS.

- A. Pursuant to the Act, the District shall set its operating policies.
- B. The District has previously adopted from time to time Policies, Procedures and Rules and Regulations.
- C. District now desires to amend its Policies and Procedures regarding the tires on golf carts accessing District facilities.
- D. This Resolution ratifies Board action taken at its July 15, 2024 regular meeting.

SECTION 3. PREVIOUSLY ADOPTED POLICIES. The District hereby acknowledges and ratifies its previously adopted policies which are not inconsistent with this Amendment.

SECTION 4. AMENDMENT OF POLICIES AND PROCEDURES. The Policies and Procedures of the District pertaining to Privately Owned or Leased Gold Carts accessing District facilities are hereby amended in accordance with the following:

Exhibit "A" attached hereto and incorporated herein.

SECTION 5. SEVERABILITY. Should any sentence, section, clause, part or provision of this resolution or the attachments hereto be declared by a court of competent jurisdiction to be invalid, the same shall not affect the validity of this resolution as a whole or any part thereof other than the part declared invalid.

SECTION 6. EFFECTIVE DATE. This resolution shall be effective immediately upon its adoption.

PASSED AND ADOPTED at a meeting of the Board of Supervisors of the Herons Glen Recreation District this 5th day of August 2024.

HERONS GLEN RECREATION DISTRICT



Peter Over, Vice Chair

ATTEST:



District Secretary

EXHIBIT A

- c. Submissions Management deems to be for the personal gain of the provider will be considered commercial.
- d. Details on ticketed events will be published no more than six (6) weeks prior to the event. Simple "Save the Date" announcements are not subject to this time restriction and may be posted earlier at the discretion of Management.
- e. The District will not publish material Management deems to be an opinion piece or information that expresses a particular political position.

B. Cashless Policy

Hérons Glen is a cashless facility. Cash payments will not be accepted. Charges may be paid through the Residents' house accounts, debit or credit cards. Personal or commercial checks will be accepted with proper identification. This cashless policy applies to Residents and all other customers.

C. Animals

No pets are allowed in any District buildings or on any recreation facilities, including covered outside areas and including but not limited to the enclosed or improved play areas, such as pool and deck, tennis, bocce, shuffleboard and pickleball courts, golf course and practice facilities.

1. When on other District property, pets shall be confined on a leash held by a responsible person.
2. Persons walking pets shall be responsible for removing all solid pet waste and properly disposing of it.
3. Service animals and animals that are part of educational programs and accompanied by handlers, subject to the approval of Management are the exception.
4. Service animals are defined by the Federal Americans with Disabilities Act and Florida Statute. According to definitions within these laws, emotional support animals are not service animals.

D. Vehicles

Vehicles include automobiles, carts, mopeds, bicycles, motorcycles, RV's and all other modes of transport.

1. All must obey traffic signs and/or other posted traffic and parking instructions.
2. All vehicles must use caution when in the area of other vehicles or pedestrians.
3. No vehicles may be stored or left overnight on any District property without prior approval of Management. Such approval is not to exceed 7 nights.
4. Parking citations will be issued by HOA Roving Patrol Officer. Citations will be placed on the vehicle with a copy provided to Management.
5. Management may issue a warning or fine to the lot owner in accordance with the Rules & Regulations.
6. Additional action may be taken by the Board as allowed by Governing Documents of Herons Glen, including towing and booting. No prior notice is required other than the existence of appropriate signage as may be required by Florida statutes.
7. Owners will be held fully responsible for any and all damages caused by the owner or the owner's guest. The costs resulting from any and all such damages, including legal fees incurred by the District, will be charged to the Owner.

E. Privately owned or Leased Golf carts

1. Residents of the District may privately own or lease one or more golf carts. Each privately owned or leased golf cart will be assigned a registration number that is the same as the Resident's lot number. Numbers shall be affixed on both sides of the cart, a minimum of two inches high and in a contrasting color so as to be easily readable.
2. Residents may use their golf carts on District Property, however all carts driven onto the golf course or any district facilities or property must be registered. Management designates the District department responsible for the registration of all privately owned or leased golf carts.
3. Privately owned or leased carts must be electrically powered and equipped with headlights and taillights or reflectors if used after dusk.
4. Privately owned or leased carts must meet (ANSI) Safety Standards for golf carts.

5. Each operator of a private cart must be at least 18 years old or have a valid driver's license.
6. Residents using a privately owned or leased golf cart within the District, including on the Golf Course, will be held fully responsible for any and all damages caused by the golf cart during its use by the Resident or their guests. The Resident will reimburse the District for any and all damages, including damage to other golf carts and any property of the District. Golf cart liability insurance may be available through the Resident's Homeowner's insurance policy.
7. Privately owned or leased golf carts used on the Golf Course must adhere to the following in order to minimize stress and damage to the golf course turf:
 - a. Six-passenger golf carts and those that weigh over 1800 pounds are prohibited on the course.
 - b. All golf carts entering the golf course must have "turf-safe" tires that can negotiate both paved surfaces and grass without causing damage.
 - c. The tire manufacturer must refer to the tire as a "golf course tire."
 - d. Tires must have a rounded vertical tread with a maximum depth of ¼ inch.
 - e. The total tire width must be a minimum of 8 inches.
 - a. Tires may change from year to year; therefore, the policy may be modified from time to time in accordance with industry standards.

Adopted at the June 14, 2024 Board Meeting

F. Recreational Use of Lakes and Ponds

1. In accordance with Herons Glen Country Club Covenants, Article XVI, the Board may permit use of wetlands, lakes, ponds, and streams within the Recreational Facilities for recreational use.
2. The District shall not be responsible for any loss or injury incurred as a result of such use.
3. Residents are authorized to use a District designated lake for the sailboat club with access via the cart path.
4. Residents are authorized to use District designated lakes for fishing; however access to the water body must be reached without trespassing on other District, or private property, such as via road or multi-purpose path.
5. No other use of District designated lakes is permitted.

G. Irrigation

1. As outlined in Herons Glen's Community Covenants, the District owns the Common Lot Irrigation System (CLIS) and provides irrigation to all Lots and Common Areas.
 - a. No sprinkler or irrigation systems may be installed, constructed, or operated within the District, other than by the District.
 - b. Some of the Recreational Facilities are irrigated with effluent.
 - c. CLIS charges are part of the District's annual budget and Operations and Maintenance assessments billed to owners.
2. The District has a blanket easement over all properties within Herons Glen for ingress and egress and for designing, studying, mapping, engineering, improving or adding to, maintaining, operating and servicing the CLIS.
 - a. The District is responsible to:
 - 1) Maintain, replace and repair the CLIS.
 - 2) Keep the CLIS in good working order sufficient to provide irrigation service.
 - 3) The District may be able to provide additional irrigation water for new plantings and sod. However, no additional water will be provided during periods of drought or during the months of February, March and April. Homeowners are encouraged to hand water their new landscaping in accordance with Lee County water restrictions.
 - b. Owners are responsible for:
 - 1) Edging the grass around the sprinkler heads so the grass does not interfere with the operation of the sprinkler head.
 - 2) Trimming landscape plants so as not to interfere with the operation of the CLIS sprinkler system.
 - 3) Contacting the District concerning sufficient irrigation.