

## **RESOLUTION NO. 2024-13**

**A RESOLUTION OF THE HERONS GLEN RECREATION DISTRICT AMENDING THE DISTRICTS' RULES AND REGULATIONS REGARDING GOLF CARTS; 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 Rules and Regulations regarding golf carts permitted on the Golf Course.
- D. This Resolution ratifies Board action taken at its July 15, 2024 regular meeting.

**SECTION 3. PREVIOUSLY ADOPTED RULES AND REGULATIONS.** The District hereby acknowledges and ratifies its previously adopted Rules and Regulations.

**SECTION 4. AMENDMENT OF RULES AND REGULATIONS.** The Rules and Regulations of the District pertaining to Golf Carts permitted on the District's Golf Course 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 5<sup>th</sup> day of August 2024.

**HERONS GLEN RECREATION DISTRICT**

  
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**Peter Overs, Vice Chair**

**ATTEST:**

  
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**District Secretary**

## **EXHIBIT A**

## **K. Recreational Use of Lakes and Ponds**

1. Swimming, playing or wading in any of the lakes on the premises is not permitted.
2. Walking, climbing, sitting, fishing or any other activity on rip rap (rocks) is not permitted.
3. Entering the waters of the lakes on the premises, other than by Management employees, is not permitted.
4. Residents are authorized to use a District designated lake for the sailboat club with access via the cart path.
5. Residents are authorized to use lakes for fishing; however access to the water body must be reached without trespassing on the golf course, the rip rap or private property, such as via road or multi-purpose path.
6. No other use of District designated lakes is permitted.

## **L. Vehicles**

1. Vehicles include automobiles, carts, mopeds, bicycles, motorcycles, RV's and all other modes of transport.
  - a. All vehicles must obey traffic signs and/or other posted traffic and parking instructions.
  - b. There will be no parking of vehicles (golf carts, bicycles, autos, motorcycles, etc.) under the front entrance portico at any time. All vehicles shall park in areas designated as parking areas. The entrance to the lobby must be available for emergency vehicles and vehicles dropping off passengers.
  - c. No vehicles of any kind, may be driven or parked on pavers at any time anywhere within the District without specific management approval. This includes, but is not limited to the pavers adjacent to the ballroom and those near the sports complex. Parking in these areas inhibits ingress/egress from the facilities and creates broken pavers and battery acid stains during rain events.
  - d. Neither Residents nor their guests are permitted to park vehicles overnight on District property without prior approval of Management. Approval cannot be given to park any vehicle on District property for more than 7 days during any 30 day period.
  - e. The District will not be responsible for any damages or theft that may occur to any parked vehicle.
2. Privately owned or leased golf carts
  - a. Residents may use their privately owned or leased golf carts on District property which includes the golf course, outdoor amenities and parking areas; however, all carts driven on any District property **must** be registered.
    - 1) Each privately owned golf cart will be assigned a registration number that will coincide with the owner's lot number.
    - 2) Multiple golf carts owned by a resident will be given the same registration number, which will be the resident's lot number.
    - 3) Registration numbers must be clearly visible on both sides of the golf cart, underneath the seating area.
    - 4) Registration will be handled by the designated District department, currently the Golf Shop.
    - 5) Custom numbering applied or painted on the cart by other than the Golf Shop must be a minimum of 3 inches high.
  - b. Residents with privately owned or leased golf carts are required to ensure that the use of their cart is restricted to individuals who will operate the cart in a safe, prudent manner and in accordance with all regulations.
  - c. Residents using a privately owned or leased golf cart will be held fully responsible for any and all damages caused by the golf cart used by the Member or Guests. The Member will reimburse the District for any and all damages including damage to other golf carts and any property of the District. (Private insurance is generally available for golf carts through an insurance agent.)
  - d. Anyone operating a golf cart within the District, including on the Golf Course, must be at least eighteen (18) years of age or have a valid automobile driver's license.
  - e. Privately owned or leased carts must meet (ANSI) Safety Standards for golf carts.
  - f. Privately owned or leased carts must be electrically powered and equipped with headlights and taillights or reflectors if used after dusk. Parking of golf carts is allowed in designated parking areas only.
  - g. Golf carts operated within the District must be free of commercial advertisements. Corporate logos or other business markings may be applied as long as the logo or markings do not contain any contact information.
  - h. Only those carts meeting the adopted policies for use on Herons Glen golf course may be used on the course.

- h.i. No golf carts are permitted on the Golf Course when the course is posted closed.
- h.j. No privately owned or leased golf carts will be stored, charged or maintained by the District.
- 3. Violators of vehicle rules are subject to towing, fines, or loss of golf privileges,
  - a. Management may issue a warning or fine to the lot owner for violation of rules.
    - 1) The first citation may result in a warning to the lot owner.
    - 2) A second citation may result in a \$25 fine to the lot owner.
    - 3) Additional citations may result in a \$25 fine to the lot owner each time a citation is issued.
  - b. Violations of the rules governing the ownership and use of golf carts within the District, including on the Golf Course could result in the suspension of private cart use privileges and/or suspension or termination of Golf Course membership or playing privileges.
  - c. Further, vehicles in violation of the Governing Documents may be towed or booted by the District at the Owner's expense. No notice is required prior to towing or booting other than the existence of appropriate signage as may be required by Florida Statutes.

**M. Wildlife**

Wildlife located on the premises shall not be fed or teased per Florida Chapter 379 and the Florida Fish and Wildlife Commission rules.