

# LAKE PADGETT ESTATES INDEPENDENT SPECIAL DISTRICT

## PARK RULES & REGULATIONS

Adopted by Resolution 2008-1 on October 17, 2007  
and as amended on October 19, 2010

### **Article I. Administrative Provisions; Definitions; Exemptions.**

**Section 1. Purpose:** The Lake Padgett Estates ISD is committed to serving its residents and guests with integrity, fairness, and respect. These rules are intended to provide for the safe enjoyment of Lake Padgett ISD facilities, while also fostering stewardship and the protection of natural resources.

**Section 2. Applicability:** The following rules apply to conduct within all areas owned or maintained by the Lake Padgett Estates ISD.

**Section 3. Administrative Authority:** The provisions promulgated herein shall be administered, interpreted and enforced by the Lake Padgett ISD District Manager.

**Section 4. Definitions:** For the purpose of administering, enforcing or interpreting these regulations the following definitions shall apply. When consistent with the context, the present tense includes the futures tense: the plural shall include the singular number and the singular number shall include the plural number. Any item not herein referenced shall be defined by its ordinary common meaning:

- (a) Lake Padgett Estates ISD (LPE) shall refer to the Lake Padgett Estates Independent Special Taxing District, Pasco County, Florida
- (b) Park shall refer to any property or facilities owned, leased or maintained by the Lake Padgett Estates ISD.
- (c) Express Permission shall refer to a special allowance granted (Temporary Permit) by the Lake Padgett Estates ISD Board of Supervisors on a case-by-case basis to conduct a specific event or activity in exception to these regulations.
- (d) Law Enforcement Officer shall mean any sworn law enforcement officer, and includes the Sheriff of the respective jurisdiction and his or her deputies.
- (e) Resident shall mean all owners of real property within the Lake Padgett Estates ISD, their guests and family members.
- (f) Qualified Non- Resident shall mean any person or persons, their guests and family members, whom are renting or leasing property within the Lake Padgett Estates ISD and have a valid and current rental or lease agreement.

- (g) Interlocal Agreement - means an agreement between the Lake Padgett Estates ISD and another governmental entity entered into pursuant to Florida Statute, Chapter 163.
- (h) Guests- Those individuals temporarily accessing District park property, while at all times with a resident or Qualified Non-Resident who possesses a valid access code, card, and key to District facilities.

## **Article II. Park Rules and Regulations**

**Section 5. Facilities –Children:** Facilities are reserved for the use of LPE Residents and Qualified Non-Residents. Children under the age of 12 years must be accompanied by an adult at all times.

**Section 6. Admission to Facilities: Access Codes; Access Decals; Parking: Boat Trailers; Temporary Permit.**

- (a) Vehicles: All vehicles entering or parked in the facilities shall have a prominently displayed valid and current LPE access decal or valid and current temporary access permit.
- (b) Pedestrian Access: All pedestrians entering the facilities shall have proper identification.
- (c) Access Codes: Access codes, cards and keys to the facilities are for use by LPE staff, law enforcement officers, emergency services providers, Residents and Qualified Non-Residents only and may not be loaned out to anyone.
- (d) Access Decals, Parking and Temporary Permits: Access Decals and Temporary Permits shall be issued by the District Manager or designee or any member of the Board of Supervisors. Access Decals and temporary Permits are for the use of LPE staff, law enforcement officers, emergency services providers, Residents and Qualified Non-Residents only, including any person or organization having Express Permission.
- (e) Parking: Boat Trailers: Parking is allowed in designated parking areas only. All vehicles parking in the designated handicapped parking must visually display the legal handicap parking signage. Boat Trailers must be parked in the designated trailer parking area.
- (f) Parking and Overnight Parking: No person shall park a motor vehicle in areas of the park other than those designated by the LPE as parking areas. Motor vehicles may not be parked overnight in a park without the express written permission of the District. Motor vehicles left overnight in violation of this regulation may be ticketed and/or towed.

(g) Commercial Vehicles: No person shall park or stand a commercial vehicle in LPE facilities without Express Permission. The prohibition on commercial vehicles contained in this sections shall not apply to such vehicles when they are delivering services, merchandise, or materials to the facility. Commercial vehicle shall mean any vehicle with a gross vehicle weight of 10,000 or more pounds.

(h) Temporary Permit: Any person, or organization in good standing with the State of Florida, may petition the LPE for a temporary permit to use the facilities, provided, however, said petition is submitted in writing and identifies the time, date, location, and purpose of the event and proof of insurance is provided, naming LPE as an additional insured, as follows.

(1) General Liability Insurance: Each petitioner shall effect and maintain during the period of the permit insurance with companies authorized to do business in Florida, with an A.M. Best rating of B+ (or better), Class VI (or higher) Commercial General Liability Insurance with a minimum limit of coverage no less than one million dollars (\$1,000,000.00) for each occurrence, which shall include the following coverages:

- a. Premises/ Operations Liability
- b. Products/ Complete Operations
- c. Personal/ Advertising Injury
- d. Contractual Liability
- e. Independent Contractors Liability
- f. Medical Payments Five Thousand Dollars (\$5,000) coverage limit.

(2) Additional Endorsements: As may be applicable to a particular event, one (1) or more of the following endorsement(s) shall be required:

- a. Hazardous Materials Endorsement: A hazardous materials endorsement shall be required for any activities involving the use of hazardous materials. Said endorsement shall provide a coverage limit of no less than two million dollars (\$2,000,000.00) combined single limit occurrence and annual aggregate with no deductible.
- b. Animal Endorsement: An animal endorsement shall be required for any activities involving pony rides, petting zoos and other related activities with non-domestic household pets. Said endorsement shall provide a coverage limit of no less than two million dollars (\$2,000,000.00) for each occurrence and annual aggregate with no deductible.
- c. Carnival Endorsement: A carnival endorsement shall be obtained for activities involving carnival type rides, bungee jumps, trampolines, orbital rides and related rides and attractions commonly associated with a fair or carnival. Said endorsement shall provide a coverage limit of no less than five million dollars (\$5,000,000.00) for each occurrence and annual aggregate with no deductible.

- d. **Boats and Planes Endorsement:** A boats and plane endorsement shall be obtained for events involving the use of motorcycles, powered model cars, boats, planes, non-standard personal cars and jet or inducted fan propulsion watercraft. Said endorsement shall provide a coverage limit of no less than two million dollars (\$2,000,000.00) for each occurrence and annual aggregate with no deductible.
- e. **Garage Keepers Liability Endorsement:** A garage keepers and liability endorsement shall be obtained for events that include valet parking service. Said endorsement shall provide a coverage limit of no less than five hundred thousand dollars (\$500,000.00) per occurrence and per location for ACV comprehension and collision.

**Section 7. Park Hours of Operation:** All facilities are deemed close at sunset and open no more than 1 hour before sunrise. Vehicles in the park after dark are subject to towing. Individuals in the park after dark are subject to trespassing laws and arrest by the Sheriff's Department.

**Section 8. Guests:** Residents and Qualified Non-Residents are responsible for the activities of their guests and must remain on park property with their guests.

**Section 9. Gated Facilities:** All gates are to be locked after entering or exiting the park. Gates will remain open only when a security guard, LPE park operator, or LPE Board member, are present.

**Section 10. Alcohol:** Alcoholic beverages of any kind are prohibited, unless authorized by Express Permission.

**Section 11. Glass Containers:** Glass containers of any kind are prohibited, unless authorized by Express Permission.

**Section 12. Fires:** No person shall start or use a fire within a park except facilities provided or approved by the LPE for this purpose.

**Section 13. Dangerous Devices, Fireworks:** No person shall operate in a park any device or undertake any activity which will cause a projectile to be loosed or propelled which could injure a person or animal or damage property unless the person is operating the device or engaging in the activity in accordance with established park practices as part of an LPE expressly permitted activity. Activities and devices restricted under this provision include but are not limited to: fireworks, the hitting of golf balls, and the operation of a bow and arrow, crossbow, taser, spear, slingshot, dart device, or other device designed for high-speed missile projection. Fireworks of any kind are prohibited, unless authorized by Express Permission.

**Section 14. Domestic Animals:** Service Animals Exemption. No person shall have in his or her custody within a park any animal. Service animals are exempt from this regulation (i.e. seeing eye-dog).

**Section 15. Business Activities, Soliciting and Advertising:**

- (a) Business Activities: No person shall sell or make an offer to sell goods or services or conduct business activities within a park without the Express Permission of the LPE.
- (b) Solicitation: No person shall solicit monetary valuable contributions from others in the a park without the Express Permission of the LPE.
- (c) Advertisements: No person shall advertise goods, services or events within a park without the Express Permission of the Lake Padgett Estates ISD. For the purposes of this regulation, advertisements include, but are not limited to: the distribution or posting of handbills, flyers, coupons or public announcements or signs mounted on vehicles.

**Section 16. Park Pavilions:** Pavilions are available for use at all times on a first-come first-serve basis. Reservations for the pavilions can be obtained by completing a Reservation Request Form. Forms may be obtained on the LPE Website or by contacting the District Manager or PE Staff at one of the park guard shacks during hours of operation. A party or event of 25 or more persons desiring to use a pavilion must secure an advance reservation.

**Section 17. Boats:**

- (a) 3 Boats per Party: A total of three (3) boats are allowed per party, two of which can be guest boats. Each personal watercraft (PWC) shall count as one boat. All violators will be asked to leave.
- (b) Boat and Watercraft Safety: All boaters must operate their craft in a safe manner and shall comply with all Coast Guard, Marine Patrol, Wildlife Game and Commission regulations. The operation of any boat or personal watercraft (PWC) within the designated swim areas is prohibited. Water skiers must maintain a 75 foot clearance of the designated swim areas at all times. Launching boats or PWC's from areas other that the designated boat ramp area is prohibited. For safety reasons, all watercraft shall circle in counter clockwise rotation.
- (c) Power Loading: Power loading of boats on Lake Padgett Estates ISD ramps is prohibited.
- (d) Boat Trailers: Boat trailers must be parked in the designated trailer parking areas only.

**Section 18. Swimming:** Swimming is allowed in designated swim areas only. Boat launch and water ski areas are off limits to swimmers. Scuba Diving is prohibited.

**Section 19. Motor Vehicles and Traffic:**

- (a) **Speed Limit Where None is Posted:** Where no speed limit is posted, no person shall operate a motor vehicle within a park at a speed greater than 10 miles per hour.
- (b) **Prohibited Vehicles:** No person shall operate within a park a motorized vehicle not licensed for regular use upon public highways, excluding motorized carts furnished, approved and operated by LPE Staff.
- (c) No person shall operate within a park a farm tractor or other farm machinery or a type of vehicle used primarily for earth-moving operations, whether or not licensed for regular use upon public highways, without the Express Permission of the LPE.
- (d) **Motorized Wheelchairs and Assistive Devices:** Motorized wheelchairs and other motorized assistive devices for mobility impaired persons are permitted in all areas where pedestrian access is permitted, unless otherwise posted by the LPE.
- (e) **Off-Road Vehicle Operation:** No person shall operate any type of motorized vehicle in areas of a park other than established paved roadways, parking areas and boat ramps without the Express Permission of the LPE.

**Section 20. Public Gathering:** No person shall organize or engage in a public gathering of more than fifty (50) persons in a park without the Express Permission of the LPE. For the purposes of these regulations, “public gathering” shall be defined as demonstrations, picketing, speeches, vigils, parades, ceremonies, meetings, rallies, entertainment, games, shows, concerts, picnics, weddings and all other forms of public assembly.

**Section 21. Rest Rooms and Facilities: Prohibited Activity**

- (a) **Harassment and Intimidation:** No person shall loiter in the vicinity of a rest room, dressing room, or pavilion or park facility with the intent to harass, intimidate or solicit users of such facility.
- (b) **Inappropriate Behavior:** No person shall engage in inappropriate behavior in rest rooms, changing rooms, pavilions or park facilities. For the purpose of these regulations, inappropriate behavior includes, but is not limited to: vandalism, graffiti, destruction of property, sexual activity, use of controlled substances, sleeping, loitering, washing clothes, bathing in fountains or washbasins – or any activities prohibited by law.

### **Article III. Rules Enforcement**

**Section 22. Compliance:** Any person not in compliance with the rules set forth herein shall be in violation and subject to the following enforcement procedures.

- (a) Resident, Qualified Non- Resident First Incident Violation: The District Manager shall cause a “Park Rules Violation Warning Letter” to be delivered to the address of record, by certified mail/return receipt of the Resident or Qualified Non-Resident that violated the park rule(s). Said letter shall at minimum, identify the person whom violated the rules, date, time, location and nature of violation by the Resident or Qualified Non-Resident or their guest and advise that a subsequent violation of any rule within one (1) year will result in the automatic suspension or park privileges. Said letter shall be in a form approved by District Counsel. In the event of a criminal act on District property or destruction of District property by a resident or Qualified Non-Resident, which results in a legal conviction of said Resident or Qualified Non-Resident, park privileges will immediately be suspended and notice sent pursuant to Paragraph (b) below.
  
- (b) Resident, Qualified Non-Resident Subsequent Incident Violation: In the event that a Resident or Qualified Non-Resident or their guests violate any park rules after having been issued a warning letter within one (1) year after receipt of such warning letter, the District Manager shall cause a “Park Rules Violation and Suspension of Privileges Notice: to be delivered to the address of record, by certified mail/return receipt of the Resident or Qualified Non-Resident that violated the park rule(s). If the Notice of Violation is not accepted by the Resident or Qualified Non-Resident, it shall be deemed served on the date of mailing when mailed to the address of record for owner of the property.

Said Notice shall identify the violator, date, time, location and nature of violation by the Resident or Qualified Non-Resident or their guest and shall further advise that all park privileges or said Resident or Qualified Non-Resident are suspended for a period of up to one (1) year from the date of receipt of the Notice of Violation as follows: The first violation will result in a 3-month suspension, the second violation within a year will result in a 6-month suspension; a third violation within a year will result in a 1-year suspension. It shall further stated that said Resident or Qualified Non-Resident may request a hearing before the Board of Supervisors for the purpose of contesting the Notice of Violation and seeking reinstatement of park privileges.

A request for Hearing must be filed with the District Manager in writing no later than 15 days after the date the Notice of Violation was received, together with payment of the appropriate administration fee. Upon receipt of a Request for Hearing, the District Manager shall schedule the matter for hearing at the next regular meeting of the Board of Supervisors, provided, however, that the suspension of park privileges shall remain in effect during the appeal period. At said meeting the Board of Supervisors shall take testimony from the party subject of the Notice and review the matter de novo. The Board may reinstate park privileges upon a showing of good cause.

**Section 23.** Reinstatement of Park Privileges: Any resident or Qualified Non-Resident may petition the Lake Padgett Estates ISD Board of Supervisors for reinstatement of park privileges at any time and shall pay the appropriate administrative fee. A petition for reinstatement shall be submitted to the District Manager, whom, upon receipt, shall schedule the matter for the Board of Supervisors review at the next regularly scheduled meeting of the Board. Said petition shall at minimum, identify the name of the Petitioner, their agent-o-record, if any; the date when the suspension was effective; and a statement explaining why park privileges should be reinstated. Each petitioner shall appear before the board to present their request for reinstatement. The Board may reinstate park privileges upon a showing of good cause.

**Section 24.** Fees: The LPE Board of Supervisors shall establish the fees prescribed herein by Resolution in such manner as prescribed in F.S. Chapter 190.

End of Rules