

Rabbit Run Homeowner's Association, Inc. 2016 Rules and Regulations

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MISSION STATEMENT

The Mission and Objectives of the Rabbit Run Homeowner's Association Board of Directors are as follows:

- To conduct the Board's business and the discharge of its responsibilities in accordance with the Homeowner's Association By-Laws.
- To preserve the character and integrity of the Rabbit Run community by enforcing the responsibilities contained in the Declaration of Covenants, Conditions and Restrictions.
- To exercise prudent fiscal management while maintaining the proper level of community services and preserving the assets of the Association.
- To enforce by prescribed legal means the collection of delinquent Association dues.
- To foster Community involvement through sanctioned events, clubs and projects.
- To respect issues raised by Homeowners and give those issues a fair hearing.
- To promote greater attendance at Board Meetings and involvement in the Board.
- To strive for additional reductions in Annual Dues while maintaining financial fiduciary responsibilities.

PART A – GENERAL

1. The following rules and regulations have been developed to provide efficient, safe and sanitary operations of the entire pool complex for the protection of members and their guests, and to ensure their enjoyment of the facilities. Failure to comply with these rules and regulations or with the direction of the pool staff when the pool is open may result in the suspension of privileges. The decision to suspend or cancel privileges will rest solely with the Board of Directors.
2. The membership owner is responsible for ensuring that all members and guests of the owner's household observe and comply with the rules, regulations and the direction of the staff. The membership owner has the ultimate responsibility to ensure that these rules and regulations are adhered to by all in the household and by all guests.
3. Unless specifically provided otherwise, the word "pool" in these Rules and Regulations includes both the main pool and the wading pool. The phrase "pool complex" includes all Recreation Center areas (pool, clubhouse, tennis court, basketball court, parking lot and playground), which are normally available for access and use by the member and his or her guests. The term "pool enclosure" is the area inside the pool fence.
4. For the purpose of pool rules and regulations, an adult is defined as a person at least sixteen (16) years of age.
5. "Member" is defined as those residents maintaining membership in the Recreation Center and those family members permanently living at that same address.

6. The use of controlled substances, gambling, abusive, obscene or profane language, fighting, excessive use of alcohol, or other offensive or illegal actions is strictly prohibited within the pool complex.

7. The Board of Directors may, for good cause shown on its motion or upon written request, waive or modify any of the rules and regulations contained herein or make additions to these rules and regulations. Appropriate notification of such changes or additions will be provided to the membership.

8. A complete and current copy of the rules and regulations booklet will be posted on the Recreation Center bulletin board as well as the Homeowner's Association website, www.rabbit-run.com.

PART B – RECREATION CENTER ACCESS

The Recreation Center is monitored by a security system currently provided by Sonitrol of Lexington, Inc. and a special Sonitrol key is needed for access to the facility.

Each member household is provided with one (1) entry key at no charge and may purchase one (1) additional key by contacting the Managing Agent. The cost of a new key is \$15. Keys are good for as long as you own your home and should not be discarded. **Lost keys or keys that stop working will be replaced at the member's expense.** Contact the Managing Agent for replacement of a purchased key. Keys reported lost will be deactivated. If an owner rents his or her property, it is the owner's option to provide the key to the renter. The key cannot be shared. It can only be used by the owner and family or the renter and family. The owner remains responsible for any damage to the Recreation Center. In the event of the sale of your home, you should pass on your key(s) to the new owners.

Admittance Procedure

To enter the facility, insert and remove the Sonitrol key from the key reader, which is located to the right of the front door entrance of the Recreation Center. This is the only location for access from the outside. The security lock will be released and you will be able to pull the door open. When the facility is rented the security system will be deactivated for the duration of the event and a key will not be needed for entry.

The exit instructions are posted on the left side of the inside front doorway. Please read these instructions carefully as they will differ depending on whether the pool is open or closed. **Remember, if someone remains in the building or pool area, do not activate the alarm. DURING POOL SEASON DO NOT ACTIVATE THE ALARM BETWEEN 7 A.M AND 9 P.M.**

PART C – GUESTS

The following provisions apply to member guest privileges at the Recreation Center pool and fenced courts.

1. **Day Guests** - a. Each household will receive annually, at no cost, a Day Guest Card which is good for eight (8) one day guest visits per season. Up to four guests may accompany the member and this will be considered a single one-day visit. More than four guests, up to a maximum six guests, accompanying the member will result in the use of a second one-day visit. No more than six guests will be permitted on any single day. Additional Day Guest Cards (good for 8 one day guest visits) may be purchased from the Managing Agent at a cost of \$25.00 each.

b. Members must accompany their guests and are required to present their Day Guest Card at time of entry to the pool.

2. Overnight Guests - Guests from a locale beyond Fayette County who are being entertained overnight or longer (up to one month) in a member's home and are accompanied by a member of the household will be permitted to use the pool and fenced courts free of charge for the first five days of their visit. Beyond that a rate of \$2.50/person/week or \$5.00/family/week will apply.

3. Summer House Guest(s) - Individuals who reside in a member's household for more than one month will be assessed a fee of \$35.00/person/season or \$100.00/family/season for use of the pool and fenced courts. Please contact the Managing Agent for a pool pass.

4. Babysitters - Family babysitters with member's child/children will be provided pool access at no charge upon presentation of the member's pool pass.

PART D – POOL

1. Pool Operating Hours - The pool will open for the season on the Saturday of Memorial Day weekend and close on the Tuesday after Labor Day. The regular hours of pool operation are 10 a.m. to 9 p.m., seven days a week. When Fayette County Public Schools are in session the weekday operating hours are 4 p.m. to 8 p.m. The pool will be open from Noon until 4 p.m. during this time without a lifeguard on duty. No one under 16 may be at the pool without an adult.

2. The system for controlling the use of the pool during regular pool operation is as follows: Entry to the pool will be through the front door of the Recreation Center. It will be necessary to use your Sonitrol Key to enter the building. Each member is then required to register with the attendant and present their pool pass and Day Guest Card, if applicable, when they enter the pool enclosure.

3. All children under thirteen (13) years of age must be accompanied into the pool enclosure by a member who is at least (16) years of age. Such adult must remain in the pool enclosure with the child and will be responsible for full supervision of the child. For example, the adult may not play tennis while the child is in the pool enclosure.

4. A child between thirteen (13) and sixteen (16) may be unaccompanied within the pool enclosure provided they meet both of the following requirements:

a. They have passed a basic swimming (Red Cross Beginner in Swimming) test and present proper documentation to that effect. Otherwise, the test will be administered by the lifeguard in charge at an agreed time scheduled in advance.

b. A parent's permission has been given in writing for the child to be unaccompanied.

5. All children ages six (6) to sixteen (16) must be able to pass the basic Red Cross Beginner in Swimming Test before they will be allowed outside the shallow area of the main pool. Responsibility to ensure the enforcement of this rests exclusively with the parent.

6. Children under six (6) years of age shall not be permitted in the main pool area unless accompanied by an individual who is at least sixteen (16) years of age and who shall remain within reaching distance of the child at all times. Parents or other adults accompanying small children SHALL NOT leave the children unattended in either the wading pool or the main pool areas.
7. No children six (6) years or older will be allowed in the wading pool at any time.
8. No pets are allowed within the pool enclosure except those trained for assisting a handicapped person and accompanying that person.
9. Eating at the tables around the pool will be allowed as long as it does not create any trash/safety/health issues. Beverages will be permitted in the pool area provided they are in appropriate containers (metal or plastic). Glass containers are strictly forbidden. Food wrappings and cigarette butts shall be placed in the designated containers provided.
10. No person shall use the pool unless it is open and lifeguards are on duty. The only exception is for adults 16 years of age and older who may use the pool during weekday hours of Noon to 4 p.m. when Fayette County Public Schools are back in session, as referenced in Part D-1. Unauthorized swimming while the pool is closed will result in the suspension of pool privileges.
11. No glass or other sharp, breakable, or otherwise hazardous objects or toys shall be permitted within the pool enclosure. Plastic swim masks, goggles and unbreakable eye or sunglasses will be permitted.
12. Toys or balls will be allowed at the discretion of the Lifeguard. Inflatable devices (except for safety devices) or squirt guns are not allowed.
13. Strollers and baby carriages should be restricted to the wading pool and non-deck main pool area, and should not be left unattended when occupied.
14. The lifeguard-in-charge shall determine whether or not the pool will be evacuated or cleared for safety reasons such as thunder, lightning, storms, contamination, etc.
15. No person shall use the pool that has a skin disease; open sore; excessive sunburn; sore or inflamed eyes; cold, nasal or ear discharge; communicable or contagious disease; or who is wearing bandages of any kind. Exception to this rule will be made only on the written certification of a physician, and that certification must be acceptable to the lifeguard in charge.
16. Joggers and tennis players are required to shower before entering the pool. It is further recommended that all individuals shower before entering the pool.
17. All individuals, including children, shall respect the diversity of pool attendees and wear appropriate swimming attire while using the pool facilities. Also note that shorts or cut-off jeans are not considered appropriate attire and will not be permitted in the pool.
18. Children in cloth diapers or "swimmies" are permitted in the wading pool. No disposable diapers will be allowed as they can disintegrate and clog the pool filtering system. There are diaper-changing stations in both the men's and women's restrooms.

19. Children under sixteen (16) shall be cleared from the pool for a rest period of ten (10) minutes each hour, on the hour. Children cleared from the pool for rest periods shall not enter the wading pool during the rest period or loiter in the shower. The use of rest periods, their frequency, length, etc., will be regulated by the lifeguard-in-charge. The lifeguard-in-charge may shorten each rest period.

20. Lounge chairs are not reserved for the day. If the majority of the time is spent swimming, please have the courtesy to allow someone wishing to sit or sunbathe to use the lounge chair.

21. The lifeguard-in-charge has total authority over the pool users to assure that his or her actions are not endangering the health or safety of self or others. Examples would include jumping backward off the side of the pool into the water, sitting or standing on the shoulders of another person in the pool or doing cartwheels into the pool from the pool deck.

22. The moderate use of alcohol should be discrete out of respect for the views of a diverse membership. The use of controlled substances is strictly forbidden.

PART E - EXERCISE ROOM

Rules for the use of the exercise equipment have been posted and you are asked to read them and follow those instructions when using the equipment. In the interest of personal safety no one under the age of sixteen years old (16) will be permitted to use the equipment unless accompanied by a member parent or guardian. Damage to equipment resulting from its misuse or abuse will be charged to the member. Particular care should be taken not to bang the weights of the weight machine as this will damage both the weights and the machine. Any equipment operating problems or missing components should be promptly reported to the Managing Agent by calling (859) 312-3710. There should be no use of equipment not operating properly as this could cause further damage.

It is the responsibility of all members using the exercise equipment to abide by the following basic rules:

- Be courteous to fellow members when using the various machines.
- Use the machines correctly and avoid abusing the equipment.
- Leave the machines in start-up position if possible for the next member.
- Clean off equipment with appropriate cleaner.**
- SHIRTS AND SHOES ARE REQUIRED AT ALL TIMES. PLEASE, NO SANDALS.**
- Do not allow any water to come in contact with the machines. If water is accidentally spilled, please wipe up immediately.
- Absolutely **NO WET SWIMSUITS OR WET MEMBERS** are allowed on the machines.
- Turn off machines after completing your exercise regimen.
- Please **DO NOT OPEN WINDOWS** at any time.
- Please leave the shades down. Do not raise them.
- Turn off lights, television and fans upon exiting the exercise room.

PART F – TENNIS AND BASKETBALL COURTS

The courts are for the exclusive use of members and their guests. All members and guests with recreation center privileges also have court privileges. Guests of members are subject to the same restrictions as contained in these Rules and Regulations. Entry into the courts requires the use of the Sonitrol key. Individuals should not enter the court enclosure by manipulating the entry gate to open without a key, etc.

The following self-monitoring rules and regulations require cooperation from all members.

COURT USE

1. Singles are limited to a maximum of 60 minutes of playing time when others are waiting.
2. Doubles are limited to a maximum of 90 minutes of playing time when others are waiting.
3. During the summer public school recess, members age sixteen (16) and older have preference for court use after 6 p.m. weekdays, and all day on Saturdays, Sundays and holidays. This age preference includes members under 16 if playing with adult members.
4. Courts will be used only for playing tennis or basketball. **The cost of any repairs to the court facilities which results from unapproved use (i.e., skates, skateboards, scooters, rollerblades, soccer balls, pets, etc.) will be charged to the member whose key provided access to the court facilities during the time when the damage occurred.**

5. NO PETS ALLOWED ON THE COURTS

PART G – RENTAL OF RECREATION CENTER ACTIVITY ROOM AND POOL

1. The Recreation Center and the pool can be reserved for parties and other activities only by Recreation Center members. Reservation requests are to be submitted to the Managing Agent by phone at (859) 312-3710 or e-mail at rabbit.run@twc.com at least two weeks in advance of the requested date. Payment is required before the center is considered reserved, and a signed rental agreement for each use of the center is required along with proof of homeowner's insurance. Please consult the rental agreement for more specific information relative to rentals. The rental agreement can be found on the on the website at www.rabbit-run.com.

Reservation requests should include the following:

- The name, address and telephone number of the member making the request.
- The date being requested.
- If the use of the Recreation Center, pool or both is being requested.
- The desired start and end times of the event. Except for the pool, the rental times normally will be scheduled from 8:00 a.m. until 5:00 p.m. or 5:30 pm. until midnight.
- A close approximation of the number of people attending the event.
- Whether or not alcoholic beverages will be served. If alcoholic beverages are brought into the clubhouse, the member must present proof of homeowner's insurance and a

host liquor liability clause must be included in it. The Homeowner's Association's liability insurance does not cover the serving of alcohol. No sale of alcoholic beverages is permitted (as that requires a retail liquor license which the Recreation Center does not possess).

•If it is intended to decorate the Recreation Center and/or pool areas, the type and placement of those decorations must be approved in advance by the Managing Agent to assure that no damage to the facility will result from their use. All decorations must be removed at the end of the event. **Nothing is to be placed on the walls, fans or ceiling regardless of how it is affixed. Failure to do so will automatically forfeit the entire deposit (\$300-\$400).**

The following rental restrictions must be strictly adhered to:

- All activities must end by midnight and the facility vacated at that time.
- No form of gambling is permitted.
- The use of controlled substances (drugs) anywhere on Recreation Center property is strictly prohibited.

2. Fees:

a. There will be a non-refundable Recreation Center usage fee of \$50 for neighborhood residents with personal activities or \$100 for meetings/activities with business purposes other than personal. In addition, there will a \$300 refundable deposit to cover the cost of any cleanup, breakage or damage. Please note that Members will be held financially responsible for all breakage, damage, or cleanup expense resulting from the event. **Nothing is to be placed on the walls, fans or ceiling regardless of how it is affixed. Failure to do so will automatically forfeit the entire deposit (\$300-\$400).** Members restoring the facility to its pre-event condition will not be subject to any cleanup costs.

The pool can be used in conjunction with the Recreation Center. **There will be a non-refundable \$25 rental fee.** There will also be a \$100 refundable deposit to cover any cleanup or damage expense. **This will be in addition to the Recreation Center rental fee and deposit. The pool CAN NOT be used for a party without renting the Clubhouse. The total cost would be \$75 for the rental of both and a \$400 deposit.**

b. Private pool parties are available for the cost of \$100 plus the cost of one or more lifeguards. **This will be in addition to the Clubhouse rental fee and deposit. The pool CAN NOT be used for a party without renting the Clubhouse.** The cost per hour per lifeguard is \$35 with payment to be made to the managing agent at the time of the rental. The number of lifeguards required is dependent upon the number of event attendees and will be confirmed at the time that reservations are made with the Managing Agent. **The pool will only be available for private rental between the hours of 9 p.m. and midnight. Pool rental will be 8 p.m. to midnight once school returns to session.**

c. **Deposits and rental fees are due within seventy-two (72) hours of making the reservations and should be tendered in a separate check for each. Payment not made within this time period will cause the reservation to be cancelled and make the requested date available for rental by other members. All rentals are non-refundable.**

3. Catering Kitchen

- a. The Recreation Center is equipped with a catering kitchen for use by those persons renting the Activity Room who will be serving food and/or beverages. This kitchen is to be used only for food warming or serving. It is not equipped or approved for food preparation and is not to be used for that purpose.
- b. Users will be expected to leave the kitchen in the same clean condition in which it was found. Failure to do so will result in the cost of clean up being deducted from the rental deposit. It should be noted that the kitchen facilities are subject to LFUCG Health Department inspection and certification, and failure to meet Health Department standards can result in its being closed.
- c. **No grills or fryers are to be used during rentals.**

PART H – VEHICLE AND BICYCLE PARKING

General parking facilities are provided on the west side of the Recreation Center. Handicapped parking is provided in the specially marked handicapped spaces on the east side of the Recreation Center and is to be used only by vehicles with handicapped parking identification. Overnight parking is not permitted unless approved in advance by the Managing Agent. Such approval will only be granted under special circumstances.

No parking is permitted at the driveway curbing in front of the Recreation Center. This area is for fire and emergency vehicle access only. It is permissible to stop here for the discharge or pickup of passengers but vehicles must not be left unattended. Failure to observe this regulation could result in the towing of violator's vehicle.

A bicycle rack is located immediately inside the general parking area and bicycle parking is limited to this area. It is recommended that bicyclists bring a chain and lock to secure their bikes as the Homeowner's Association assumes no responsibility for loss or damage to bicycles.

Deed Restrictions

Below are some common Deed Restrictions that apply to ALL areas of Rabbit Run. Please note that these are not the complete Deed Restrictions. If you would like to see the restrictions for your area you can see them at www.rabbit-run.com. They are under the heading of "*Homeowner Responsibilities*". **The term DEVELOPER relates to RRHA Board.**

SHOULD the owner of any lot fail to maintain the lawn, Developer (RRHA Board), or its assigns, may enter such lot to cut grass and/or weeds and remove any debris necessary and collect its Costs of labor and material plus 25% from the owner of said lot. In such case the Developer (RRHA Board) or the persons doing such work shall be entitled to the benefits of a mechanic's lien.

NO recreational vehicle, trailer, boat or vehicle shall be parked in any yard, driveway or on any street in the Subdivision for a period in excess of twenty-four (24) consecutive hours or in any manner that may be construed as an intentional attempt to circumvent this restriction.

NO noxious or offensive trade or activity shall be carried on upon any lot nor shall anything be done thereon which may be or become an annoyance or nuisance to the neighborhood.

NO animals, livestock and/or poultry of any kind shall be raised, bred or kept upon any lot in said unit of said subdivision; provided, however, dogs, cats and/or other household pets may be kept and maintained upon said lots if they are not kept, bred or maintained for any commercial reason or purpose.

ANY FENCE erected on property shall be approved by Developer (RRHA Board) prior to construction. Any fence used must conform with the character of the subdivision and shall be in accordance with appropriate governmental regulations. No fence will be permitted that is over six (6) feet in height. All fence specifications and location must be submitted to Developer (RRHA Board) for written approval or disapproval. Developer (RRHA Board) sole and absolute discretion shall govern. A permit must be attained from the city.

NO signs, advertisements, billboards, or advertising structures of any kind shall be erected or maintained on any lot or building site, except with the prior approval in writing of the Developer (RRHA Board); provided, however, that no such permission shall be required for the erection and maintenance of not more than one advertising sign which sign shall conform to local ordinances and shall be used for the sole and exclusive purpose of advertising for sale of the lot or building site upon which it is and erected.

NO commercial vehicle or truck over ¾ ton shall be regularly parked on any lot or street in the Subdivision other than for delivery or construction purposes unless housed within a garage; and no person shall engage in major car repairs for others at any time.

NO building or structure of a temporary character, including but not limited to, trailers, basements, tents, shacks, garages, barns or other buildings other than residence buildings, shall be used upon any lot in said unit at any time as a residence, either temporarily or permanently, nor shall any trailer, tent, shack, barn or unmovable vehicle be used and/or maintained upon any lot in said subdivision at any time, whether temporarily or permanently. No rear yard storage building is allowed.

SWIMMING POOLS - Swimming pools below ground level for the use of resident's occupants and their guests may be constructed on lots provided that: (1) the location, plans and specifications thereof are approved by the Developer (RRHA Board), (2) all applicable laws, ordinances, rules and regulations of governmental agencies are complied with, and all necessary governmental permits are obtained; and (3) such construction is not commenced until after construction of the residence has begun. Should a residence become vacant, that is, not occupied for residential purposes, the owner shall see that the pool is drained and kept drained during the period of such non-occupancy, so as to prevent health and safety hazards. **Above-ground pools will not be permitted.**