



# The Club at Victoria Gardens

# Rules and Regulations

**“THE CLUB AT VICTORIA GARDENS”  
RULES AND REGULATIONS**

The Club at Victoria Gardens (the “Club”) is a luxury amenity for the use and enjoyment of the residents (the “Residents”) of homes within Victoria Gardens. The Club is owned by the Victoria Gardens Homeowners Association, Inc. (the “Association”) and is managed by Capital Consultants Management Corporation under the authority of the Association’s Board of Directors (the “Board”).

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**DEFINITION OF TERMS**

**Resident(s):** A Resident is an Owner or a Renter.

**Guest(s):** A Guest must either be accompanied by a Resident or must be registered. Registration is required in The Club's Management Office with a \$10.00 refundable deposit. The Guest will receive a lanyard and a key card.

**Adult(s):** An Adult is anyone 18 years old or older.

**Teenager(s):** A Teenager is anyone 14 years old up to 18 years old.

**Child(ren):** A Child is anyone up to, and including, 13 years old.

## **HOURS OF OPERATION**

The Club shall be open on the days and during the hours posted at the Club and are subject to change as established from time to time. Days and hours of operation may vary by season of the year and other circumstances.

## **GUEST POLICY**

Guests are welcome but may be excluded if the Board determines that the convenience or right of enjoyment of the Residents is infringed. **Residents are responsible for their Guest's actions and for informing them of these rules and regulations.** The Board determines the Guest policy. The current guest policy is as follows:

**Adult guests are permitted in all public areas of the club but must be accompanied by a Resident, must be a Registered Guest or authorized by the Declarant.**

**The following restrictions apply to Teenagers and Children:**

- Pool:** Teenagers are permitted in the pool area but must be accompanied by a Resident, an Adult registered guest or must be a Registered Guest, themselves. An Adult or Adult Registered Guest must accompany any Child, at all times, in the pool area.
- Spa:** Teenagers and Children are not permitted in the Spa at any time.
- Health & Fitness Center:** Teenagers are permitted to use the health & fitness center but must be accompanied by a Resident or Adult Registered Guest. Children are not permitted in the health & fitness center at any time.
- Billiard Room:** Teenagers are permitted to use the billiard room but must be accompanied by a Resident or Adult Registered Guest. Children are not permitted in the billiard room at any time.
- Card Room:** Teenagers and Children are permitted to use the card room but must be accompanied by a Resident or Adult Registered Guest.
- Tennis Courts:** Teenagers are permitted to use the tennis courts but must be accompanied by a Resident or Adult Registered Guest or must be a Registered Guest, themselves. Children are permitted to use the tennis courts but must be accompanied by a Resident or Adult Registered Guest.

**Business Resource Center: Teenagers are permitted to use the Business Resource Center but must be accompanied by a Resident or Adult Registered Guest or must be a Registered Guest, themselves. Children are permitted to use the Business Resource Center but must be accompanied by a Resident or Adult Registered Guest.**

### **ASSUMPTION OF RISK**

Use of the Club's facilities and participation in Club activities are purely voluntary. All activities potentially involve some personal or physical risk on the part of the participant and such participation by a Resident, or their guest is deemed to be an acknowledgment and acceptance of the risks inherent in the activity.

### **DRESS CODE**

Residents and their guests should dress in a manner appropriate to the activities enjoyed at the Club. Management may request those improperly dressed to change or to leave.

### **GENERAL OPERATING RULES OF THE CLUB**

1. Use of the Club facilities or any part thereof may be restricted any time by the Board or by the Club's management staff.
2. Dogs or other pets (with the exception of service dogs for the physically challenged) are not permitted within the Club facilities except under special circumstances and when authorized by the Board or the Club's management staff.
3. No commercial advertisements shall be posted or circulated at the Club facilities, and no solicitations of any kind shall be made within the Club facilities or upon the Club's stationery, except as specifically permitted by the Board or by the Club's management staff.
4. No petitions shall be originated, solicited, circulated or posted at any time in the Club.
5. Fireworks will not be permitted anywhere within the Club facilities or adjacent areas, except as specifically approved by the Board or by the Club's management staff.
6. Entertainers will not be permitted to use the Club facilities without the prior written approval by the Board or by the Club's management staff.
7. No Club property may be removed without written approval by the Board or by the Club's management staff.
8. Use of activity rooms requires the approval of the Club's management staff.
9. All complaints, criticisms or suggestions of any kind relating to any of the operations of the Club facilities must be addressed to the Club's management staff.
10. Rooms may be temporarily decorated with the approval of the Club's management staff. Under no circumstance will decorations be allowed that would damage or alter the existing décor.

11. Unless authorized by the Board or the Club's management staff, vehicles are not permitted to park under the porte cochere (main entrance to the Club Building).

## **ROOM SCHEDULING POLICIES AND GUIDELINES**

Use of banquet/meeting rooms requires approval of the Club's management staff. Club management will allow rental of the rooms for any purpose in keeping with the rules and regulations of the Club. Events that the Club Management or the Board deem to be immoral, illegal or which interfere with resident use of the Club will be prohibited.

1. **Guidelines.** Bi-partisan political events with a broad range of interest may use the club as long as both sides have an equal opportunity to present their case within a reasonably short time of each other.

Victoria Gardens residents may not use common area facilities to produce products or services for commercial gain. If the purpose of the meeting has commercial value and possible financial benefit to the host, the room must be rented at the current Resident rate.

Victoria Gardens residents may not use the club for regular religious services or meetings. Since religion and religious beliefs are such a personal and private matter, by their very nature, this type of meeting could exclude some residents.

When scheduling meetings and/or events, the Club's "Meeting Room Request" form must be submitted and approved.

2. **Priorities for Scheduling Rooms.** All reasonable efforts will be made to conform to the following order of priorities:

Scheduled Contracted Events take priority over subsequently scheduled meetings. Management will manage any potential conflicts.

*Association's Board of Directors and Delegated Committees:* Any meeting of the Association's Board of Directors, as well as all delegated committees of the Board, has priority over all other meetings. These scheduled meetings will be posted at the Club.

*Chartered Group Activities:* All regularly scheduled meetings of Charter Groups will be coordinated through the office of the Club's management staff. Deviation from the regular schedule must be pre-approved by the management staff. All Charter Groups must be registered with the Club, have by-laws and elected officers.

*Association sponsored or approved Events, Activities and Meetings (examples include but are not limited to Community Council, Victoria Park HOA, Victoria Park committee meetings or Art of Living):* All special events, classes and meetings will be scheduled with the approval of the Club's management staff and posted.

*Resident Sponsored Private Events:* Residents may reserve a room or sponsor a group for a private event after signing a **reservation contract that establishes the appropriate charges for the use of the Club's facilities upon the approval of the Club's management staff.** The management staff will determine room availability based largely upon whether an event would restrict the general use of the Club's facilities by the Residents.

*Club-Sponsored Activities:* - These activities, such as water aerobics, Social Committee activities, Halloween party, etc., are organized and approved by the Club Activities Director, appear on the Club calendar and are open to all residents. If an activity has limited seating, a sign-up sheet will be available and sign-ups will be handled on a first-come, first-served basis

*Other Resident Activities:* – Victoria Gardens residents may submit a request for use of Club facilities for review and approval by Club management. These activities must be open to all residents, and when approved, will be scheduled by Club management. These activities will be scheduled on a first-come, first-served basis, and may be rescheduled by Club management if necessary. The group will designate a contact person to interface with Club management and staff. All scheduled activities will be included as part of the Club activities calendar. If an activity has limited seating, a sign-up sheet will be available and sign-ups will be handled on a first-come, first-served basis.

*Use by the Declarant:* As long as the Declarant owns any land within Victoria Gardens, the Declarant may use the Club to sponsor special events for charitable, philanthropic, political or marketing purposes, subject to the following conditions:

- A. The availability of the Club at the time requested;
- B. The Declarant shall pay all costs and expenses incurred and shall indemnify the Association against any loss or damage resulting from the special event; and
- C. The Declarant shall return the Club and any personal property used in conjunction with the special event to the Association in the same condition as existed prior to the special event.

*Ad-Hoc Availability:* Victoria Gardens residents may request room availability for resident only events to club management no earlier than 48 hours prior to the event. Requests will be honored and based on availability. The group will designate a contact person to interface with Club management and staff. Management reserves the right to charge a service fee if significant club arrangements are required.

- 3. Room Charges:** Association's Board of Directors and Delegated Committee Meetings, Chartered Groups, Club Sponsored Activities, Other Resident Group and Club Activities and Ad-Hoc Activities will not be charged for the use of Club's facilities, except that these activities may be required to reimburse the Club if their activity incurs extra costs for set-up, cleaning, etc. All other meetings and/or activities may be subject to the current schedule of rental fees and policies available from Club Management.

**For Resident Memorial Services Only:**

The room charge will be waived if all Residents are invited to the service (via e-mail or web site announcement and the Club office is copied on the e-mail). All other fees will apply. A signed agreement will be needed to secure the room.

**CODE OF CONDUCT**

1. A Resident or Guest shall not discipline, correct or abuse any of the Club's employees, other Residents, Guests, Directors, officers, or committee persons verbally or otherwise. Any employees not rendering courteous and prompt service should be reported to the Club's management staff.

2. Neither Residents nor Guests shall direct any employee(s) to leave the Club facilities for any purpose whatsoever, unless such purpose is under the direction and with the approval of the Board or the Club's management staff.
3. Employees of the Club, while on duty at the Club, are prohibited from rendering special personal services to Residents or their Guests except for posted concierge services.
4. Residents and Guests must conduct themselves so as not to infringe upon the rights and privileges of other Residents and Guests.
5. Residents are solely responsible for the conduct and actions of their guests.
6. Residents and Guests will refrain from loud, profane, indecent or abusive language.
7. Residents and Guests will be held responsible for any damage incurred to Club facilities.
8. Residents and Guests shall obey all safety rules and shall immediately discontinue unsafe activity when directed by the staff.
9. Residents who profit financially by charging guests for the use of Club facilities are subject to the Club's current room rental fee structure.
10. The Club's management staff will inform Residents or Guests of any violation of Club rules and regulations and, when necessary, will report such actions to the Board.
11. Residents or Guests who conduct themselves in an unbecoming manner or who knowingly break a Club rule or regulation are subject to disciplinary action by the Board and/or Club management. In egregious cases this includes, but is not limited to, removal from the Club premises.
12. Residents may request to appear before the Board to explain their actions, and have the right to appear before the Board if disciplinary action is being considered.

### **BULLETIN BOARDS**

Only Board or Club-sponsored information may be listed on the Club bulletin boards. Commercial solicitation is prohibited unless specifically approved by the Board or the Club's management staff. Any other solicitation is prohibited.

### **SMOKING POLICY**

The Club at Victoria Gardens is a smoke-free environment. Smoking is prohibited in all areas of the Clubhouse but is permitted in designated outdoor areas. The Board has the right to designate specific outdoor smoking areas adjacent to the pool by posting appropriate signs.

### **MULTI-PURPOSE KITCHEN USE POLICY**

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The use of the kitchen in the Multi-Purpose Room is intended for cooking demonstrations and classes. It may also be used in conjunction with the reservation of the room for private functions. A cleaning deposit may be required.

### **ARTS/CRAFTS ROOM POLICY**

The Arts and Crafts Room is for organized activities and not intended for individual use. Contact the Club's management staff to arrange for the use of this room outside the scope of scheduled activities.

### **SWIMMING POOL AND SPA RULES**

1. The pool area and spa facilities are reserved primarily for the use of Residents and their Guests. **Teenagers are permitted in the pool area but must be accompanied by a Resident, an Adult registered guest or must be a Registered Guest themselves. An Adult or Adult Registered Guest must accompany any Child, at all times, in the pool area.** Infants and children who are not potty trained must wear either swim diapers or plastic liners over their regular diapers.
2. **No one under 18 is allowed in the spa at any time.**
3. Use of the Pool and Spa Facilities at the Club is at the user's own risk, as lifeguards are not on duty.
4. Swimming is permitted only during the open hours of the pool and spa. Hours are dawn to dusk.
5. Lap swimmers have priority in the lap area of the pool.
6. The swimming pool and spa facilities may be closed when necessary for maintenance operations or when dictated by safety considerations as determined by the Club's management staff.
7. Residents and Guests using the pool are encouraged to enter or exit the pool area through the side door and not enter through the front door in their swim suits and with their pool gear.
8. Dry swimsuits must be worn with appropriate cover-ups in the Club. Shirts and shoes must be worn when in the Club.
9. Club locker rooms are provided for changing clothes and using restroom facilities. Café restrooms are not intended for the changing of clothes.
10. Food may not be consumed within the pool or pool edge or the spa. Beverages in a non-breakable container are allowed. Coolers are allowed on the pool deck area. Glass bottles, containers and other objects or instruments, which might cause injury, are not permitted in the pool area.
11. Maximum bather capacity is 194 people in the pool and 14 in the spa.
12. Each person is required to shower before entering the pool or spa.

13. Proper bathing attire is required at all times: Cut-offs, dungarees, and Bermuda shorts are not permitted in the pool at any time.
14. An adult must accompany a child wearing flotation devices in the pool.
15. No diving into the pool or jumping into the spa at any time.
16. Radios, televisions, etc. may be listened to, but only if playing at a sound level that is not offensive or disruptive to other Residents or Guests. Residents and Guests will be asked to turn such equipment off if it is annoying to others.
17. Animals, bicycles, skateboards, and large floats (e.g. multi-person, inner tubes, etc.) are prohibited in the pool area and the pool.
18. Safety in the pool area is a priority: running, horseplay, disruptive ball playing and noisy and rowdy activity are not permitted in the pool area.
19. All persons using the pool area are urged to assist in keeping the area clean by properly disposing of towels, cans, cigarettes, etc.
20. Smoking is permitted only in designated sections of the pool area.
21. "Saving chairs" for persons absent from the pool or spa area is not permitted.
22. Private parties may be held in the pool area only with approval of the Club's management staff.
23. The pool area may be restricted during certain times for Resident use only. These times will be posted at the Club.
24. No one is allowed in or around the fountain area.
25. Maximum spa temperature is 104 degrees Fahrenheit. Do not exceed a 15-minute time limit in the spa at any time. Pregnant women, and those on medication that may cause drowsiness, should consult a doctor before using the spa. No running or horseplay in the Spa area.
26. The Club's management staff reserves the right to remove any Resident or Guest from the pool area for non-compliance of any of the aforementioned Swimming Pool and Spa Rules.

### **HEALTH AND FITNESS CENTER RULES**

1. The Fitness Room is reserved for Residents and their Guests only. **Teenagers are permitted to use the health & fitness center but must be accompanied by a Resident or Adult Registered Guest. Children are not permitted in the health & fitness center at any time.**
  2. The temperature in the fitness room is regulated by Club Management and must not be adjusted by Residents or Guests.
  3. All use of the fitness equipment is done at your own risk.
  4. The Club shall not be responsible for any loss or damage to any private property used or stored
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at the Club facilities.

5. Users must wipe off machines after each use.
6. There is a 30-minute time limit on each piece of aerobic exercise equipment when others are waiting.
7. All weights and pieces of equipment must be returned to their proper places at the completion of each use.
8. Coolers are not permitted in the Fitness Room. Sports drinks and plastic water bottles are permitted provided they are sealed or capped.
9. Casual workout attire is acceptable in the Fitness Room. Only athletic rubber-soled shoes may be worn. No swimsuits are permitted. Upper body garments are required at all times.
10. Personal fitness trainers may be permitted at the discretion of the Club's management staff upon the terms and conditions established by the Board.
11. Alcoholic beverages are not permitted in the Fitness Room.
12. It is the responsibility of all Residents and their Guests to obtain instruction on how to use the equipment prior to using such equipment, and to use the equipment only in accordance with such instructions. Please see the Club's management staff for further information.
13. It is the responsibility of all Residents and their Guests using the Fitness Room to consult with their physician, and such person should be in good physical condition and have no physical, medical or psychological conditions, disabilities, impairments or ailments, chronic or otherwise, which would preclude, impair or prevent him or her from using the Fitness Room or engaging in active or passive exercise.
14. All Residents and Guests using the Fitness Room must follow the rules posted by the Board regarding use and care of the equipment and are to conduct themselves with due regard for the safety, health and enjoyment of all Residents.
15. No clothing or personal articles may be stored under benches or in the common areas.
16. Horseplay, profanity, disruptive conduct and indiscreet behavior in the Fitness Room are strictly prohibited.
17. The Club provides audio and visual equipment for the enjoyment by all Residents and their Guests. Personal radios, tape players, etc., may not be played in the Fitness Room *unless* headphones are used.

### **LOCKER ROOMS AND SHOWER FACILITIES**

Lockers and showers are provided for the use and enjoyment of Residents and their guests. Lockers are available on a first-come, first-served basis. Lockers can only be used on a daily basis and personal items should be removed prior to the end of each day. Personal items should not be left unattended or unsecured at any time. The Club is not responsible for lost or stolen items.

## **BILLIARDS ROOM RULES**

1. The Billiards Room is reserved for Residents and their Guests only. **Teenagers are permitted to use the billiard room but must be accompanied by a Resident or Adult Registered Guest. Children are not permitted in the billiard room at any time.**
2. Sitting on tables at any time is prohibited. All shots must be performed with at least one foot on the floor at all times.
3. Balls and cue-sticks must remain in the billiards room at all times. Cue-sticks are to be returned to the racks once play has ended.
4. Play is limited to two games when individuals are waiting to use the tables.
5. Food and Beverages are allowed in the Billiards Room, but must not be set on the billiards table at any time.

## **TENNIS RULES**

The Tennis Courts are reserved primarily for the use of Residents and their Guests. **Teenagers are permitted to use the tennis courts but must be accompanied by a Resident or Adult Registered Guest or must be a Registered Guest, themselves. Children are permitted to use the tennis courts but must be accompanied by a Resident or Adult Registered Guest.** Tennis courts may be used even when the Club is closed. Operating hours will be posted at the courts and in the Club. Maintenance procedures may prohibit the use of certain courts at certain times and the tennis courts may be locked when not in use. The following rules apply to the tennis courts:

1. United States Tennis Association rules govern play at all times, except when in conflict with the local rules or with any of the rules and regulations herein.
2. During peak play times, players may be required to register in the Club before starting play.
3. Except for Board-sponsored events, courts are not available for reservations and are available on a "First Come, First-Served" basis.
4. Notice of special events, which will utilize tennis facilities, will be given to Residents by posting notice of the same on the bulletin board inside the Club.
5. No standing reservations will be accepted.
6. At the end of their playing time, all players must promptly relinquish the court to waiting players. Once a player relinquishes the court, that player may wait for the next available court.
7. Foods, glass containers, chewing gum, tobacco products and coolers are prohibited on the tennis courts. Sports drinks and water bottles are permitted.
8. No skateboards, bicycles, roller skates, etc. are permitted on the courts at any time.
9. The Club's management staff may reserve courts for special events when needed.

10. Use of tennis courts is subject to the control of the Club's management staff. The Club's management staff may implement temporary rules during peak play periods
11. The tennis facilities may be closed when necessary for maintenance operations or when dictated by safety considerations as determined by the Club's management staff.
12. Appropriate tennis attire is required for all players. Appropriate-soled tennis shoes are required.
13. All persons requesting the return of a tennis ball from another court should ask only when play on the court has halted. Players should not retrieve a tennis ball from another court unless the players on that court have granted permission. Courts should be vacated promptly after playing time is over. Spectators should stay off court surfaces. All persons should refrain from loud or offensive language on the court or while spectating. No loud or disruptive activity should take place within close proximity to the courts.

## **BUSINESS RESOURCE CENTER**

The Business Resource Center is reserved primarily for the use of Residents and their Guests. **Teenagers are permitted to use the Business Resource Center but must be accompanied by a Resident or Adult Registered Guest or must be a Registered Guest, themselves. Children are permitted to use the Business Resource Center but must be accompanied by a Resident or Adult Registered Guest.**

The Business Resource Center is intended for multiple uses including a library, reading room, small club activities, television, and Wii play. When the Business Resource Center is occupied, common courtesy shall be utilized. Scheduled events take priority.

The allowable consumption of food and beverage within the Business Resource Center shall be at the discretion of club management.

### **Computer Usage Rules**

- Computers will be reserved from time to time for classes and computer meetings. Residents and Guests may have to wait to use the computers during these scheduled times.
- Food and Beverages are not allowed in the vicinity of the computers at any time.
- Computer's hard drives should not be used to store any personal information or projects. Please store all personal information on a CD or a diskette. Information stored on the hard drive will be deleted without warning.
- All computers are to stay powered on all day. Do not shut down the computer after use.
- Computer time is limited to 1 hour at a time when other Residents and Guests are waiting.

## **CHARTERED ACTIVITIES**

An officially recognized Chartered Group will be granted under the following terms and conditions:

1. Chartered groups must have a minimum of ten (10) Residents
2. Membership in a Chartered group (Club) is open only to Residents of Victoria Gardens. Note: The formation of desirable segregated activities for male and female members of VG may be permitted as long as both genders are provided with an equitable opportunity to pursue common interests (e.g., Men's and Women's clubs). Where there is limited capacity or attendance Residents have priority over guests.
3. Nominal Club dues may be charged by the Group to help defray costs of Chartered Groups.
4. The Club's management staff is not responsible for auditing Chartered Group fees, dues, ticket sales, etc.

5. Chartered Groups must have an annual election of officers.
6. Chartered Groups must submit a copy of their by-laws, which must include names of offices, elections, and terms of office, goals and objectives, to the Board. This is to be done before the Board recognizes the Chartered Group.
7. Chartered Group officers will keep the Club's management staff informed of all meeting dates, times, changes and special requests by filling out the proper form and submitting it to the Club's management staff.
8. Any Chartered Group that invites a guest to speak to the group must, in writing, submit to the Club's management staff for approval, the name of the speaker, and his or her intended discussion topic at least one week prior to the speaking engagement.

These rules and regulations are subject to the terms and provisions of the Declaration of Covenants, Conditions and Restrictions for Victoria Gardens, as amended from time to time, which take priority in the case of a conflict with the rules and regulations. The Board of Directors of the Victoria Gardens Homeowners Association, Inc. reserves the right to amend these Rules and Regulations in accordance with the Declaration.