**Linda Doggett, Lee County Clerk of Circuit Court**
**INSTR. # 2021000216515, Doc Type RES, Pages 18, Recorded 6/30/2021 at 10:59 AM, Deputy Clerk TKING ERECORD**
**Rec Fees: $154.50**

Prepared by and Return to:
**Leland W. Wilson**
**Association Legal Services**
**1200 World Plaza Ln-Bldg. # 63**
**Fort Myers, FL 33907**

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**(Space Above This Line For Recording Data)**

**CERTIFICATE OF AMENDMENT TO THE RULES AND REGULATIONS OF BELLA TERRA OF SOUTHWEST FLORIDA INC.**

**WHEREAS**, this Amendment is made on 25th day of June, 2021 to the Rules and Regulations for BELLA TERRA OF SOUTHWEST FLORIDA INC. The original Rules and Regulations for the Association was recorded in Instrument No. 2019000021842 of the Public Records of Lee County, Florida

**WHEREAS,** the Rules and Regulations were recorded as an exhibit thereto: and

**WHEREAS**, at a duly called meeting of BELLA TERRA OF SOUTHWEST FLORIDA INC., held on the 23rd day of June 2021 at which a quorum was present, the board of directors approved the amendments to the Rules and Regulations hereinafter set forth.

**NOW, THEREFORE**, the undersigned hereby certify that the following to the Rules and Regulations, is a true and correct copy of the amendment to the Rules and Regulations as approved by the membership.

**SEE ATTACHED**

WITNESS my signature hereto this 28 day of June 2021, at Bella Terra - Estero FL

BELLA TERRA OF SOUTHWEST FLORIDA INC

By: _____

ED CAPEZZUTO
(President)

Witness Name: CINDY REUTER-ZINGRAFF

Witness Name: Adnifa Perez

STATE OF Florida )

) SS:

COUNTY OF Lee )

The foregoing instrument was acknowledged before me by means of ☑ physical presence or ☐ online notarization, this 28 day of June, 2021 by Ed Capezzuto, President of BELLA TERRA OF SOUTHWEST FLORIDA INC. a Florida corporation, on behalf of the corporation. He/she is personally known to me or has produced N/A as identification.

Sherry A. Ott
Printed Name of Notary Public

Seal: Notary Public State of Florida Sherry A Ott My Commission HH 112161 Expires 04/27/2025

(Signature of Notary Public)

Attest: Michael Rubin
MICHAEL RUBIN
(Vice President or Secretary)

Witness Name: CINDY REUTER ZINGRAFF

Witness Name: Adrifa Perez

STATE OF Florida )

) SS:

COUNTY OF Lee )

The foregoing instrument was acknowledged before me by means of ☑ physical presence or ☐ online notarization, this 28 day of June, 2021 by Mike Rubin Vice President or Secretary of BELLA TERRA OF SOUTHWEST FLORIDA INC. a Florida corporation, on behalf of the corporation. He/she is personally known to me or has produced N/A as identification.

Sherry A. Ott
Printed Name of Notary Public

Seal: Notary Public State of Florida Sherry A Ott My Commission HH 112161 Expires 04/27/2025

(Signature of Notary Public)

# Bella Terra

# Resident's Guide

# Rules & Regulations

Revised June 23, 2021



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## FOREWORD

The following Rules and Regulations have been adopted and will be administered by the Bella Terra of SWFL, Inc. Master Association Board of Directors and may be changed at any time by the Board. It is the intent of the Directors to limit these Rules and Regulations so that everyone will obtain maximum use and enjoyment of the facilities. Although they place some restrictions on the residents' and guests' activities, they are intended to respect the rights of the community. Enforcement of the Rules and Regulations will primarily be placed in the hands of a carefully selected staff. The Board may impose additional restrictions and adopt additional procedures from time to time and it is the duty of those using the facilities to know these Rules and Regulations and to cooperate in the enforcement thereof.

All residents are required to read, understand and abide by all the Rules and Regulations contained in this Guide, as well as those in the Declaration of Covenants, Conditions & Restrictions, Bylaws and Architectural Review Procedure Manual.

Amended & Adopted at Master Board Meeting 06-23-2021

**Section 1 - Residents**
A resident is defined as the owner or occupant of a living unit who has been approved by the Sub-Association.

**Section 2 – Amenities**
Hours of Operation

The Board of Directors sets the hours of operation and these hours may change without notice. The hours of operation are:

| | | |
|---|---|---|
| Community Center | Monday-Friday | 9:00am – 8:00pm |
| Fitness Room: | Monday-Sunday | 24 hours (with access card) |
| Business Office: | Monday-Friday | 9:00am – 5:00pm |
| | Saturday-Sunday | 10:00am – 4:00pm |
| Pools: | Monday-Sunday | Daylight - Dusk |
| Tennis/Pickleball: | Monday-Sunday | Daylight - 10:00pm |
| Basketball: | Monday-Sunday | Daylight – 10:00pm |
| Inline Skate Rink: | Monday-Sunday | Daylight – 10:00pm |
| Playground: | Monday-Sunday | Daylight - Dusk |
| Volleyball Courts: | Monday-Sunday | Daylight – Dusk |
| Bocce Courts: | Monday-Sunday | Daylight - Dusk |
| Ball Fields: | Monday-Sunday | Daylight - Dusk |

All equipment borrowed from the Club House must be returned no later than 9:30am the day after borrowed. If not returned, the homeowner will be charged for replacement.
All residents and their guests using Bella Terra amenities are required to sign the Release and Informational Notice for Bella Terra of SWFL. A copy is attached on the last page of this document.

**Section 3 - Conduct**
Residents and guests shall conduct themselves in an orderly and courteous manner. All are to be respectful of other members, association employees and security. Residents and guests are not permitted to reprimand employees or in any way interfere with the management of the amenities.

Residents shall be responsible for the conduct of their guests at all times. In addition, residents shall be responsible for the conduct of their children at all times.

For the safety and enjoyment of others, please no excessive noise, equipment abuse, profanity or unprofessional conduct.

No person shall conduct any activity on the common elements which may result in a fire, health or safety hazard.

When residents have completed using any of the community amenities, property or facilities, they are responsible for leaving it clean, in good repair, and in the same condition as when they started. Loitering is prohibited and defined as any act or action by which a person or persons gather around a public place, without any definite purpose, with the intention to spend time.

The following activities are deemed to be injurious to the general welfare and are therefore prohibited. Loud or abusive noises coming from residents or guests, unruly or profane language, smoking in non-smoking areas, underage or excessive consumption of alcoholic beverages or any regulated substance, acts of vandalism and/or any act or action of such character, intensity, or duration, as to be detrimental to the welfare of the community, or that annoys, disturbs, injures or endangers the comfort, repose, peace or safety of an individual.

**Section 4 - Age Requirements**

Children under the age of 13 must be accompanied by and directly supervised by an adult at all recreational facilities, Club House, and pool areas. Any person needing to wear a diaper, whether adult or child are not allowed in the spa as this is a health hazard.

Children under the age of 13 are not permitted in the fitness center under any circumstances. Children aged 13 to 17 must always be accompanied and directly supervised by a parent or guardian adult in the fitness room. Identification must be presented upon request as proof of age. Bella Terra ID's can be obtained at the management office for a cost of $10.00 each.

One parent or guardian will accompany not more than four children.

**Section 5 - Attire**

Proper attire is always to be worn in accordance with acceptable practice for the specific activity, in the area of the facilities. Apparel must not be ripped, unless designed as such, have holes or be shoddy in appearance. Anyone not conforming to the dress code outlined in the Rules and Regulations will be asked to comply with the dress code before they will be allowed to use the facility.

At the pools, proper bathing suits must be worn. No jeans or cut-offs are permitted. Bathing suits are not permitted in the Club House or fitness center.

In the fitness center, fitness shoes must always be worn. No sandals, dress shoes or open toe shoes are permitted. Proper attire consists of gym shorts, shirts, and/or appropriate warm-up suits. Exercise outfits may include shorts and leotards. Under no circumstances will anyone be allowed in the gym bare-chested.

On the tennis and pickle ball courts, tennis shoes must always be worn; black soled shoes are not permitted. Proper attire consists of shorts, shirts, dress and/or appropriate warm-up suits. Under no circumstances will any players be allowed to play bare-chested.

**Section 6 - Pets**
Animals are not permitted in the Club House, fitness center, pool areas, children's playground, pickle ball and tennis courts, in line skating rink or any recreational facility areas.

All animals shall be leashed when outdoors and shall not be permitted to roam free. The installation or use of electronic animal containment systems are not permitted in any sub association of the community. Owners who walk their pets on common areas must clean up after them. Please be conscientious and try to avoid your pet defecating in any homeowners' yard. You must always clean up after your pet. Do not dispose of waste in the sewer system or lakes, on sidewalks, or in the grass of adjacent areas.

**Section 7 - Audio Devices**
Personal radios, audio devices, and TV use at any recreational facility or area are not permitted unless used with headphones or authorized by the Activities Coordinator for a supervised activity.

**Section 8 - Bikes/Skateboards/Roller Skates**
Bike racks are provided at the Club House, adjacent to the Bocce Ball Courts. You are encouraged to use a bike lock when leaving your bike unattended. The Association is not responsible for lost or stolen property. Bikes are not allowed in front of the Club House.

Skateboards, roller skates and bikes are not allowed in the Club House, pool areas, parking lots, fitness center, children's playground, bocce courts, basketball court, tennis courts, or pickleball courts. Skateboards and roller skates, utilized on Master Property are limited to the inline skating rink and walking path only.

**Section 9 - Food**
No food, glass or animals are permitted in the fenced pool and spa areas, game room, or fitness center. No open containers are allowed in the fitness center. Plastic spill-proof bottles are permitted.

**Section 10 - Club House**
Subscriptions, petitions, or notices that do not concern the Club House's affairs shall not be distributed or posted on Club House property without prior approval of the Activities Coordinator or Board of Directors. No flyers or other information shall be posted anywhere in the Club House unless approved by management. Items may not be posted, taped, stapled or tacked onto any wall or common areas other than inside a billboard.

The Bella Terra of SWFL, Inc. Club House in most cases is not available for any political or civic meetings. The Master Board of Directors may approve such meetings at their discretion. The only exceptions are use of Bella Terra of SWFL, Inc. as a polling location.

The parking areas are marked in a manner that permits maximum use, with a minimum of inconvenience. Anyone found parking improperly will be issued a notice of violation. Repeated infractions will result in the removal of the offending vehicle at the owner's expense. Personal property should not be left unattended on Community property. The Association is not responsible for lost or stolen personal property.

Alcoholic beverages may not be consumed on any Common Areas of Bella Terra, except in the Club House party room, in conjunction with an event coordinated and approved by the Association's Social Activities Committee and the Association's management company. Possession and/or consumption of alcoholic beverages is strictly prohibited in the pool areas, on tennis and pickle ball courts, ball fields and other recreation areas of Bella Terra. The consumption of alcohol by persons under the age of 21 is strictly prohibited.
Approved social events, where alcohol is consumed, may be permitted when catered or you bring your own bottle (BYOB events). At any event that is catered, in which alcohol is served or purchased, the host is responsible to ensure that the caterer is properly licensed to serve and/or sell alcohol. The host must carry adequate liability insurance. The host must present the Association's management company and the Association's Social Activities Committee with proof of such licensure and insurance prior to the event. The Association must be named as an "additional insured" on any such policy of insurance. Adequate liability insurance shall be determined by the Board of Directors at its sole discretion.

This policy is applicable to both private events and events sponsored by the Association or any official committee of the Association.

**Section 11 - Swimming Pools and Spa**

Residents and guests are entitled to use the pools and spa unless otherwise posted. The Activities Coordinator may block off times during which the pools will be reserved for meets, water aerobics, and other special functions. There is no lifeguard on duty, thus use of the pools or spa is "swim at your own risk".

The Photo ID Access Card must be used to enter the pool areas. Going over or through the fence is dangerous and strictly prohibited. Any damages to community property, as a result of improper entrance, may be considered vandalism and the offending party will be fined and/or billed accordingly.

The doors and gates to access the pool areas automatically close and lock. You may not prop the gates and/or doors open under any circumstances.

No pool furniture of any kind shall be removed from its designated area. Pool furniture is not allowed in the pools or spa.

Towels may not be used to reserve chairs for extended periods of time.

A shower must be taken prior to entering the pools and spa. Suntan oils and lotions clog the pools filters and drains. Please remove all oils/lotions prior to entering the pools and spa.

Persons with open sores, cuts or a communicable disease may NOT enter the pools.

Adults or children, who lack control of bladder and/or bowel functions, must wear swim diapers. Any damages resulting from improper discharge will be paid by the homeowner, resident or their guest.

No balls are allowed in the pools, unless during a supervised recreational program. Swim noodles, approved water safety rings, and water rings for non-swimmers are permitted. No flotation devices of any kind (i.e. rafts, boats, boards, etc.) are allowed in the pools or spa.

Specific items may be used during an approved, supervised class, or offered by the Association or Activities Committee.

Due to safety concerns, no running, pushing, or boisterous play is permitted on the pool decks. No diving or jumping is allowed.

Smoking is NOT permitted in the pool areas. A mandatory $100 fine will be issued to individuals smoking within the pool or spa areas. Residents are responsible for guests and will be fined for violation of the smoking policy by their guests. This includes vapor materials. Alcohol is not permitted.

Be sure to straighten your chairs/lounges, close umbrellas, and place trash in the appropriate receptacles when leaving pool areas.

**Section 12 - Fitness Center**

The amenities Photo ID Access card must be used to enter the fitness center. The doors to access the fitness center close and lock automatically. You may not prop the doors open under any circumstances.

Use the fitness center at your own risk. It is recommended that you consult your physician prior to beginning any exercise program.

Bring a clean towel to the fitness center so that you can wipe down and dry the equipment after use, as a consideration to the next person to use it. Please use the sanitary wipes provided.

No excessive banging or throwing of weights is allowed.

Limit use to thirty minutes per machine, to include warm up and cool down, if others are waiting. Return weights, benches and other equipment to their proper location after use. Turn the TVs and lights off when leaving and return the remote control to a central location. Do not remove the remote control from the fitness center under any circumstances.

**Section 13 – Bocce, Basketball, Pickle Ball, Tennis, Volleyball, Courts**

Courts are not to be used for any purpose other than its intended sport. Tennis and Pickle Ball Courts are not to be used when nets are lowered. Do not lean or climb on nets, fences, etc.

Tennis and pickle ball players are requested to limit play to one hour for singles and one- and one-half hours for doubles, if others are waiting.

**Section 14 - Recreational Facilities**

Recreational facilities include inline skating rink, basketball courts, bocce courts, children's playground, volleyball courts, tennis courts, pickle ball courts, and ball fields.

**Pets are not allowed on the inline skating rink, basketball courts, bocce courts, tennis courts, pickle ball courts or children's playground**. Use of the recreational facilities is reserved for residents only and their approved guests. All requests for use of a recreational facility, by an organized group, must be presented in writing to the Board of Directors for

consideration and approval. Organized sports groups may be approved to use the recreational facilities as long as 100% of the participants are Bella Terra of SWFL, Inc. residents and a Bella Terra of SWFL, Inc. resident adult is physically present with, and responsible for, the group.

All outdoor activity must conclude by 9:30 pm and all amenity lights must be turned off by 10:00pm. Lights are on timers and may be turned on by timer switches located at the inline hockey rink, basketball court, and tennis courts.

**Section – 15 Private Parties**

Use of the Club House is intended exclusively for Bella Terra of SWFL, Inc. residents. The all-purpose room may be rented to residents for private parties. The resident must provide a list of all non-resident attendees.

The Management Office, serving on behalf of the Board of Directors, is responsible for the Club House room usage. See the Administrative Staff for the Rental Agreement contract and applicable fees; there is an hourly fee and a refundable damage deposit required. Bella Terra of SWFL, Inc. facilities may not be used for commercial enterprise, wherein an individual or business will gain profit from the product offered or services rendered, unless it is a community wide event approved under the For-Profit Use Guidelines set by the Board of Directors.

Swimming pools and the fitness center may not be rented for private use; neither may they be used in conjunction with room rentals.

**Section 16 - Lakes and Preserve Areas**

The lakes and preserve areas are designed for visual enjoyment. No refuse of any kind will be deposited or disposed of in lakes or on Community property. The lakes are maintained and managed by The Habitat Community Development District. (CDD)

No swimming or wading is permitted in the lakes at any time.

All fishing is catch and release. Fishing is only allowed from your own lot or a Master Association common area, as explained in the Fishing Policy which is available on the Bella Terra website.

No boats of any kind shall be allowed on the lakes except for routine lake maintenance.

Feeding alligators is prohibited. It is dangerous and a violation of Florida State Law. To request a "nuisance" alligator removed, contact the Florida Wildlife Commission 1-863-648-3200.

Do not enter or disturb the preserve areas. Prohibited activities include but are not limited to construction or maintenance of any building or structure; removal or planting of vegetation; excavation and placement or dumping of soil; disposal of trash, tree trimmings or land clearing debris.

**Section 17 - Motorized Vehicles, Speed Limit**

Bella Terra of SWFL, roads are private; operators of motor vehicles on these roads must possess a valid driver's license. For the safety of our children, pedestrians and cyclists, all drivers must obey the posted speed limits and crosswalk and traffic signs within the

community. Radar detection is in use. Lee County Sheriff and the Board of Directors have the right to patrol and will issue tickets, citations, or fines for any traffic violation, including tickets or citations to minors or other non-licensed vehicle operators, including but not limited to motorized bicycles (mopeds), motorized skateboards, motorized scooters (go-peds), go-carts, golf carts, and similar motorized toy vehicles.

The Board of Directors has enacted a Traffic Enforcement Operating Policy and Procedure, setting forth guidelines and a fining structure for speeding and prohibited golf cart use. This policy is subject to change at the discretion of the Board. Members are expected to be aware of this policy.

GOLF CARTS

All Golf carts must be registered in the management office and a numbered sticker will be assigned and placed on the cart. **Operation of golf carts by unlicensed drivers is prohibited.**

Golf carts may only be driven on the roadways and in parking lots within Bella Terra of SWFL, Inc.; not on the sidewalks or walking paths. Golf carts are subject to the same traffic laws, and safe driving practices, as all other motor vehicles. Use hand signals, stop at stop signs, and give right of way to all pedestrians.

All golf carts must be registered, and proof of insurance must be provided to the Management Office.

**Section 18 - Gate Entry and Transponder**

Double entry (aka piggy backing) is not allowed when entering the Community. Gate arms lower after each vehicle enters. The Association is not responsible for damages sustained as a result of failing to yield. All residents' vehicles must be registered in the Dwelling Live system. Information shall include make, model, and license information. This information will be input at the management office upon submission. Residents are responsible for updating new plate and/or vehicle information.

RESIDENT ENTRANCE GATE:

Transponders are required to enter the Community through the resident lane, at the front gate and the Barletta Gate. You do not need a transponder to exit the community through either the main gate or Barletta gate.

TRANSPONDERS:

All residents and tenants of Bella Terra are required to purchase transponders for all permanent vehicles. Exception will be made for temporary vehicles such as rental or loaner vehicles. Failure to adhere to this requirement may subject the offender to disciplinary action, including but not limited to fines and/or suspension of privileges. Transponders can be purchased at the management office.

A resident may obtain a new or replacement transponder for their vehicle from the Club House Office for a fee of $25.00. The resident must provide their driver's license, the vehicle registration, and in some cases proof of insurance or a letter or rental agreement will be required. The vehicle must be present in order to obtain a decal. Transponders will not be issued to non-residents. Part-time residents who regularly use rental vehicles during their stay may purchase a transponder, which will be activated for the length of the vehicle lease. The lease agreement will be required to activate the transponder.

VISITOR ENTRANCE GATE:
All vehicles that enter through the visitor gate will be issued a printed guest pass, which is required to be displayed on the dashboard of the vehicle. A driver's license is required to operate any motor vehicles within the Bella Terra Community. A government issued Drivers' License is required to be presented each time a vehicle enters the visitor gate. Guests entering in this manner agree to abide by all Bella Terra Rules and Regulations.

PERMANENT GUESTS
Residents are permitted up to 15 permanent guests at any time. Residents are responsible for maintaining their guest list. Permanent Guests are issued passes for up to 30 day periods at a time.

**Section 19 - Parking**
All property owners are responsible for their vehicles, along with those of their guests. Residents and guests who violate the parking restrictions and parking permit procedures may be subject to a $25.00 fine and/or having the vehicle towed at the owner's expense. Guest passes shall be displayed and visible on the dashboard of the vehicle as a parking pass.

No motor vehicle shall be parked anywhere on the residents' property, except on an individual driveway or within a garage. Parking on lawns or landscaped areas is prohibited at any time

- Parking is prohibited on all Bella Terra of SWFL, Inc. streets between the hours of 1:00 AM to 7:00 AM. .
- Parking is permitted only on the odd number side of the streets, in the direction of the traffic flow.
- No parking within 10 feet of any mailboxes before 6:00 p.m.
- No parking within 25 feet of the fire hydrant.
- No parking within 25 feet of any corner, bend or lift station.
- No parking within a cul-de-sac.

When hosting guests, the host is responsible for ensuring each guest correctly displays the guest pass for on-street parking. All guests, if parking on the street, are required to park on the odd number side of the street of the residence they are visiting, in the same direction as the flow of traffic, to allow ample space on the street for emergency vehicles to pass.

Commercial Vehicles, Recreational Vehicles, Boats, Trailers and Other Vehicles
No commercial vehicle of any kind shall be parked in the Community, except for service vehicles, temporarily present on business. Commercial vehicles owned by or driven by residents are allowed to be parked out of sight, in an enclosed structure such as a garage; a car port is not considered an enclosed structure.

No boat, trailer, camper, mobile/motor home, bus, truck camper, or disabled, inoperative or unlicensed motor vehicle of any kind may be parked or kept in the Community unless it is kept fully enclosed inside a garage. These types of vehicles are permitted to be parked in the community for loading and unloading purposes only, and then only for a maximum of 12 hours. No inoperative or unlicensed vehicle may be parked in the community, unless it is kept fully enclosed inside a garage.

Overnight parking is prohibited at the Club House and satellite pool parking lots. This includes all vehicles: personal, commercial, trailers, campers, motor homes, boats, large

trucks, etc.
Parking in the frontage overflow lot is for members and their registered guests only. A valid guest parking pass or transponder is required. Overnight parking is prohibited. Exceptions may be granted at the discretion of the Board of Directors. This property is patrolled; unauthorized vehicles will be ticketed and may be towed.

**Section 20 - Architectural & Aesthetic Control / Architectural Review (ARC)**
All exterior changes to a residence must first be approved by the Bella Terra of SWFL, Inc. Architectural Review Committee (ARC), and the appropriate sub-association(s). This includes, but is not limited to, constructing a swimming pool, installing a screen door or screen enclosure, repainting or changing the exterior color of a residence, adding or removing landscaping, resurfacing a driveway, replacing a roof or installing a satellite dish.

Requests must be filled out by the homeowner and submitted to the ARC. Work is not permitted to commence until the application is approved by the ARC. All requests must conform to all local Zoning and Building Regulations and homeowners must obtain all necessary permits if the ARC approves the request. The approval does not relieve the property owner or any contractors performing work on the property from any applicable federal, state and local laws, licensing and permitting regulations.

ARC GUIDELINES & PROCEDURE
Refer to the ARC Guidelines regarding all exterior changes and aesthetics. The manual is available on the Master web portal and includes but is not limited to information regarding painting; trees and landscaping; enclosures; rain gutters; lighting; mailboxes; basketball hoops; satellite dishes; swing sets; trampolines; and more.

**Section 21 - Miscellaneous**
Commercial lawn service landscape crews and other vendors performing exterior work within Bella Terra of SWFL, Inc. may only operate Monday through Saturday between the hours of 7:00AM to 6:00PM.

Horticultural debris available for pickup prior to the pick-up date shall be stored along either side of the residence. Debris may not be stored and/or piled up anywhere in front of the residence. Under no circumstances may horticultural debris be placed in the preserve areas. Non-compliant residents are subject to a fine.

No signs, banners, billboards, or advertisements of any kind shall be erected or displayed anywhere within the community, including in windows and on motor vehicles.

No solicitation shall be permitted by any person and/or business anywhere in the Community, unless specifically authorized by the Activities Coordinator or Board of Directors.

OPEN HOUSE
Showings may be held on any day of the week, as long as the Open House is completed by 5:00pm. Each Open House must be registered on a weekly basis. The Realtor Registration form (available on the Bella Terra website) must be submitted by fax to (239) 405-7417 or emailed to bellaterra.office@alliantproperty.com by 4:00 PM the Thursday before the Open House will be held. The owner must register the Listing agent, so the open houses may be registered by them.

Signs may be placed 1/2 hour prior and must be removed no later than 1/2 hour after Open House and are limited to:

- 1 Open House Directional sign which must be placed on Bella Terra Master Association Property only
- 1 Open House Sign placed on the front lawn of the property for sale.

Refer to the Open House Policy (available on the Master web portal) for sign specifications.

SCHOOL BUS STOP

The Bella Terra of SWFL, Inc. Community school bus stop is in front of the Club House. In event of inclement weather, the Club House is to be used as a haven for children. **During regular business hours** children will have access to the restroom, the drinking fountain and the use of the office phone.

Parents picking up or dropping off students from school may not park on either the landscaped areas or on the road adjacent the parking lot entrance. Doing so creates an unsafe environment for students, creates gridlock, and can possibly destroy the irrigation system. Parents or guardians are required to park in the Club House parking lot.

RULES OF CIVILITY

Bella Terra of SWFL, Inc.'s Rules of Civility, regarding the conduct and interaction of residents during meetings, is posted at the Club House and applies to all public meetings.

Questions/comments shall take place during the "Public Comments" period only, and not during the meeting.

Disruptive or disorderly conduct, physical or verbal abuse, physical or verbal attacks, directed at any Director or any other person, will not be tolerated. Any violation of the rules of civility may result in a fine, physical ejection by the Sheriffs' Department and/or criminal/civil prosecution and penalties.

FIREARMS PROHIBITED

Weapons, firearms, and destructive devices are prohibited in all Community Association Board of Directors Meetings, all Member Meetings, all CDD Meetings, all Committee Meetings established by the Board, and all other Association events as determined by the Board.

The Firearm Policy is posted at the Club House and applies to all persons notwithstanding any license (concealed weapon permit or firearm license) issued to such persons pursuant to Chapter 790, Florida Statutes. However, this rule shall not apply to any person who is a law enforcement officer as that term is defined in Section 790.01(8), Florida Statutes.

DISCIPLINARY ACTIONS Conduct and Damages

Due to the fact that a few individuals will not always observe the rules, the following infractions will be brought to the attention of the Board of Directors for disciplinary action:

1. Repeated violations of rules, as well as knowingly or intentionally violating a rule.
2. Display of inappropriate temper or other discourteous conduct, resulting in damage to Community property or other physical damage.
3. Disrespect shown to Community Association employees or fellow residents or guests.

A suspension or revocation of a minor or adult's guest privileges may be enacted immediately for, but not limited to, the following offenses:

1. Defacing, damaging or otherwise causing the destruction of association property.
2. Violation of the covenants, articles or by-laws of the Community or any local, state or federal law.

The cost of replacing any Community Association property that is broken damaged or removed by a resident, guest or a family member shall be charged to the homeowner or responsible resident.

Anyone caught tampering with the entrance or exit gates will be fined $100 and may face prosecution. If any damage occurs as a result of the tampering with the gates, the repair costs will also be added to the fine. Tampering includes but is not limited to: hitting and/or removal of gates and arms; forcing movement of gates; and tampering with controls.

ABUSIVE BEHAVIOR

Any abusive behavior directed at any member of the Club House staff or Security personnel is prohibited and will not be tolerated. Residents of Bella Terra of SWFL, Inc. are responsible for their actions as well as the actions of their guests. Abusive behavior may result in the responsible resident being subject to a $100 fine.

An initial warning letter, and subsequently a follow-up letter will be sent to the responsible resident, indicating that they are subject to the $100 fine and that they may either pay it immediately or request to attend a Fining/Compliance Committee hearing.

TRAFFIC VIOLATIONS

All documented violations will be compiled by the management company and verified for completeness.

The verified list for each type of violation will be provided to each Board member in preparation for approval of a fine to be levied at a duly called and noticed meeting of the Board of Directors.

The property management company will send a written notice of the fine levied by the Board of Directors to the violator along with the documentation of the violations(s).

In accordance with the Florida Homeowners' Association Act (Chapter 720 Florida Statues) and the Association's Governing Documents the violator will have an opportunity for a hearing before the Association's Fining/Compliance Committee.

If the Fining/Compliance Committee rejects the fine, the fine will not be imposed. If the Fining/Compliance Committee confirms the fine levied by the Board of Directors, the fine will be automatically imposed and the Association will send the violation written notice of such fine. Payment of the fine is due upon receipt of the notice.

**Parking**

A "Notice of Parking Violation" will be issued by the roving patrol when a violation of Section 19 of these Rules or any other parking violation identified by the Associations Governing Documents is observed and photo documented.

The fine to be levied for parking violation will be $25, though the Board of Directors, in its sole discretion, may increase the fine up to $100 per violation if the violator is a repeat offender, with violations occurring within six months of the prior incident.

Additionally, a vehicle parked in violation of Section 19 of these Rules or any other provision of the Association's Governing Documents may be subject to being towed from the Community. All towing expenses shall be the responsibility of the vehicle owner or the responsible resident.

**Speeding**
Data extracted from the Traffic Hawk after each usage will be downloaded to a computer by the management staff. Staff will review the data collected and compile a list of the violators. Any person tampering with or causing damage to the Traffic Hawk, will be prosecuted to the full extent of the law.

The fine to be levied for speeding violations will be $100 per violation.

**Golf Cart Use**
A "Notice of [Parking] Violation - Other" will be issued by the roving patrol when a violation of Section 17 – GOLF CARTS is observed and photo documented.

The fine to be levied for Golf Cart violations will be $100 per violation.

DELINQUENT ACCOUNT
All accounts having a delinquent balance of $150 or more for 120 days or more are subject to having their resident entry transponders disabled. Residents with a delinquent balance will then be required to enter through the visitor lane gate. They will be required to present a valid driver's license with a Bella Terra of SWFL, Inc. address. In addition, their amenity access cards will be deactivated.

***Bella Terra of Southwest Florida, Inc.***
**20070 Bella Terra Blvd.**
**Estero, FL 33928**
**Phone: 239-495-7172 * Fax: 239-405-7417**

## RELEASE AND INFORMATIONAL NOTICE FOR BELLA TERRA OF SW FL AMENITIES: FITNESS, BOCCE, PICKLEBALL, TENNIS, SOCCER FIELD, BASEBALL FIELD, VOLLEY BALL COURTS, BASKETBALL COURTS, IN LINE SKATING RINK & SWIMMING POOLS

The Bella Terra of SW FL fitness, bocce, pickleball, tennis, soccer field, baseball field, volley ball court, basketball courts, in-line skating rink, playground & swimming pools are community amenities, collectively referred to in this document as amenities. All residents, family members and guests of residents have the right to use these amenities without paying a specific fee, if this release is signed, and subject to the following restrictions:

- Children under the age of 13 are not permitted in the fitness center under any circumstances. Children age 13 to 17 must always be accompanied and directly supervised by parent or guardian adult in the fitness room.
- Children under the age of 13 must be accompanied by and directly supervised by an adult at all recreational facilities, community center and pool areas.

The Bella Terra of SW FL amenities are all unsupervised and each person using these amenities assumes all risks, responsibility, costs, and damages associated with using the amenities including any and all equipment.

Attending and playing Bocce, Pickleball and/or Tennis could present a possibility of injury. The risk of injury or even death may arise from the improper use of the courts and by the physical exertion of playing these sports or from use by a person who may not be physically fit or in good physical health or for other reasons.

The use of the equipment and machinery in the Fitness Center is a potentially hazardous activity. The risk of injury or even death may arise from the improper use of the equipment and machinery or from use by a person who may not be physically fit or in good physical health or for other reasons.

Any person who uses the Bella Terra of SW FL amenities should be evaluated by a physician and assured that participating in stressful physical activity is in his or her best interest. The responsibility to receive medical clearance rests exclusively with the person using the Bella Terra of SW FL amenities and will continue to be the obligation of the participant as long as he or she uses the amenities and/or equipment.

By my signature below I acknowledge that I am solely responsible for my actions and behavior and for the actions and behavior of my family members and/or guests who use Bella Terra of SW FL amenities and/or equipment. I further release Bella Terra of SW FL from any and all obligations and liabilities for damages, injury or death resulting from my, my family's or my guests use of the Bella Terra of SW FL amenities and/or equipment. Further, I hereby indemnify and hold harmless the Bella Terra of SW FL against all costs, expenses and reasonable attorneys' fees, including appellate attorneys' fees incurred by the Association in the defense of any action based on the foregoing. Participants under 18 signing this release must have a parent or guardian also sign on their behalf.

_____ _____
Printed Name of Participant Bella Terra of SW FL Member Number (or guest of)

_____
Signature of Participant

_____
Date: