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File Number: 009949.0193

CERTIFICATE OF RECORDATION

BONITA BAY COMMUNITY ASSOCIATION, INC. RULES AND REGULATIONS

I HEREBY CERTIFY that the attached Bonita Bay Community Association, Inc. Rules and Regulations were duly adopted by the Board of Directors at the duly noticed Board of Directors Meeting on the 14th day of January, 2021. Said Rules and Regulations were approved by a proper percentage of voting interests of the Board of Directors. This Certificate of Recordation and the attached Rules and Regulations are being recorded to fulfill the requirement set forth in Section 720.306(1)(e), Florida Statutes.

The original Declaration of General Protective Covenants and Restrictions for Bonita Bay is recorded in Official Records Book 1778, Page 3516 *et seq.* in the Public Records of Lee County, Florida. The Second Amended and Restated Declaration of General Protective Covenants and Restrictions for Bonita Bay is recorded as Instrument Number 2011000142834 in the Public Records of Lee County, Florida.

[Signatures on following page.]

WITNESSES (TWO):

BONITA BAY COMMUNITY
ASSOCIATION, INC.

Celia Seifert
Signature
Print Name: CELIA SEIFERT

By: *Joseph G. Calabrese*
Joseph G. Calabrese, President

Nicole Welsh
Signature
Print Name: Nicole Welsh

Date: 1/19/2021
(CORPORATE SEAL)

STATE OF FLORIDA)
) SS
COUNTY OF LEE)

The foregoing instrument was acknowledged before me by means of ☒ physical presence or ☐ online notarization, this 19 day of January, 2021 by Joseph G. Calabrese, as President of the Bonita Bay Community Association, Inc., a Florida corporation, on behalf of the corporation. He is personally known to me or has produced (type of identification) as identification.



Kathy E. Whitacre
Notary Public
Print Name: Kathy E. Whitacre

My commission expires: Feb 4 2021

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RULES & REGULATIONS

BONITA BAY COMMUNITY ASSOCIATION

Background

The Bonita Bay Community Association (BBCA) is the master association of Bonita Bay. All homeowners automatically become members of the BBCA. Within BBCA there are 58 neighborhoods, and many have their own Declaration and Rules. Each neighborhood association's rules may be more restrictive than BBCA'S in architectural review, pets, noise, parking, pool use, rentals, and trash collection. The private Bonita Bay Club has its own rules and regulations too.

The BBCA Rules and Regulations have been prepared and adopted for the benefit of all residents and impact all common areas, parks, pathways, and major roads. The cooperation of all residents is paramount to a quality lifestyle for all.

The Board of Directors of the Bonita Bay Community Association (BBCA) will enforce these Rules and Regulations with the authority given to BBCA by the Second Amended and Restated Declaration of General Protective Covenants and Restriction (Declaration) for Bonita Bay and Florida Law.

Each owner is responsible for compliance with the Declaration, By-Laws, and these Rules and Regulations by all family members, guests, and tenants. Any violation of these Rules & Regulations shall be subject to all legal remedies available to BBCA including levy of a fine and/or suspension of Common Area use rights.

January 2021



Community Association, Inc.
3451 Bonita Bay Blvd. Suite 100
Bonita Springs, FL 34134
239.495.8111
bonitabayresidents.com

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1. BBCA ASSOCIATION MEMBERSHIP

A. Membership Procedures

1. New owners will be contacted to schedule an orientation meeting and must complete a general resident information form. The information required is name of all owners; Bonita Bay address and address where to receive official BBCA notices; key contact information (phones and email addresses); completion of the e-consent form (e-vote & e-notification); and all vehicle(s) description and license plate numbers for barcode gate entry.
2. If Bonita Bay is a second home, please provide the names of all occupants and estimated dates of occupancy for the Bonita Bay residence and the address of the primary residence.
3. Anytime personal information changes (mailing address, e-mail; phone, etc.) please notify BBCA in writing or via e-mail.

B. Residence Sales Procedures

1. When the home is sold, BBCA's resale reserve assessment is due and payable at closing.
2. BBCA will provide the new owner with copies of the Declaration, By-Laws, Rules and Regulations, and the Articles of Incorporation shortly after the closing.

C. Home Rental / Leasing Procedures

1. Each time a home is leased or rented or whenever the rental period is extended or renewed with an existing tenant, the owner must inform BBCA. The following information is required by BBCA in writing prior to the commencement of the rental or lease.
 - a. Copy of the rental / lease agreement.
 - b. The name of all tenants and occupants and their contact information.
2. The rental/lease agreement is subordinate to the provisions of the Declaration, By-Laws, and Rules and Regulations.
3. It is the owner's responsibility to handle all maintenance and repairs to the home, not BBCA, and to ensure that the tenant understands this
4. It is the owner's responsibility to provide copies of the Declaration, By-Laws; Rules and Regulations, and the Articles of Incorporation and to ensure compliance.
5. Owners who rent or lease their homes are responsible for their tenant's violations and BBCA will cite both the owner and the owner's tenant for any violation.
6. Owners and their agents shall not state or imply to prospective tenants the private Bonita Bay Club property or amenities are included in the lease.

2. GENERAL REGULATIONS

A. Compliance

Owners, residents and their guests or tenants must comply with all laws, ordinances, and regulations.

B. Home Use

Homes within Bonita Bay shall be used only for residential, recreational, and related purposes consistent with the Declaration and any neighborhood restrictions. No homes may be used for garage sales, moving sale, rummage sale or similar activity.

C. Business Activities

An owner or occupant may conduct business activities within the home so long as:

1. Its operation is not apparent by sight, sound, or smell from outside the home.
2. The business conforms to all zoning requirements for Bonita Bay.
3. The business does not involve regular visitation of the home by employees, customers, or suppliers; does not conduct door-to-door solicitation of residents and is consistent with the residential character.
4. The business does not constitute a nuisance, or a hazardous or offensive use as may be determined in the sole discretion of the BBCA Board.

D. Appropriate Conduct

1. Owners, residents and their guests should not cause or allow an annoyance or nuisance to other residents.
2. Abusive language towards BBCA employees is prohibited. Any concerns with an employee should be addressed to management, not directly to an employee.
3. Shoes, foot coverings, and appropriate attire (cover-ups and shirts) are required on all BBCA property except at the Beach Park beach.

E. Absence from Home

1. Newspaper deliveries should be stopped when not in residence.
2. Alarm system activation is recommended when a resident is not home. An emergency contact should be provided to the Community Patrol Services computer system.

3. HOME STANDARDS

A. Architectural Standards & Review Process

1. Architectural standards have been established in the Bonita Bay Design Guidelines to assure a beautiful blending of architecture and environment. These guidelines set forth criteria and a design review process that govern the construction of new homes, landscaping, and the modification of existing homes, landscaping and improvements.
2. Owners should consult the Design Guidelines and the Design Review Committee before undertaking any improvements or modifications. BBCA may require the removal of any modifications that have not been approved by the Design Review Committee.
3. All exterior modifications must first be approved by the neighborhood association, which approval (or denial) will then be conveyed to the BBCA Design Review Committee via business letter.

B. Home Maintenance

Bonita Bay homes are expected to be well maintained and kept in a manner appropriate to the community. BBBCA requires that owners perform various maintenance service on their homes and lots including:

1. Lots are to be maintained during pre-construction or renovation. The lots need to be mowed regularly and be free of debris.
2. Periodic roof cleaning to maintain a clean roof showing the original color. Cleaning is required as often as necessary. An owner's failure to comply with a written special request for the cleaning shall be considered in violation and subject to the owner to BBBCA action.
3. Home repainting must be completed to retain a well maintained appearance.
4. A damaged or destroyed mailbox must be repaired or replaced at the owner's expense within 30 days.
5. All garage doors must be kept closed at all times except as necessary for ingress and egress.
6. Landscape lighting must not create a nuisance to other residents. All new installations must be approved by the Design Review Committee.
7. No chains or blocking devices of any type are permitted on private driveways except when maintenance or repairs are conducted.
8. Electric lighting on the exterior of a residence must be actuated by a photoelectric cell and maintained in good working order so as not to disturb neighbors.
9. Solar collectors are permitted but must be approved by the Design Review Committee.

C. Hurricane Shutters

No hurricane shutter may be installed until approval is obtained under the Design Guidelines.

1. Panels or pull-down shutters, inside screen enclosures, inside windows, and any other improvement intended to protect against hurricanes shall be considered a "hurricane shutter". All high rise buildings must receive Design Review Committee approval if they are a new building or an existing building desiring to change their hurricane shutters.
2. If the home on which the hurricane shutter is to be installed is subject to a Neighborhood Association, then the approval of the Neighborhood Association must be granted prior to submitting plans to the Design Review Committee.
3. All hurricane shutters must comply with the BBBCA Design Guidelines which include color, detail, and architectural consistency requirements for a particular neighborhood.
4. Additionally:
 - a. Hurricane shutters which have been approved by BBBCA are permitted to be installed from June 1st through November 30th (except for inside lanai shutters which may be used).
 - b. Only clear Lexan style hurricane shutters may be installed on the home outside of hurricane season.
 - c. Unapproved materials such as plywood or mill finish aluminum may be used on a temporary basis during times of impending storms. These shutters may be installed once the National Hurricane Center has placed Southwest Florida under a hurricane watch and must be removed no later than 48 hours after the watch has been removed or the storm has passed,

- d. Windscreen style of protection will be approved as long as the material is a neutral color.

D. Pools

When draining or lowering the water level in pools, the water must first be chemically neutralized.

1. The wastewater then should be directed to the roadside curbing which will move the water to the nearest storm drain. Any damaged plants must be replaced at the expense of the owner if the water is allowed to freely drain onto any private property, BBCA property, or the golf course.

E. Landscape Maintenance

Owner's landscaping and neighborhood common areas are expected to be well cared for and maintained.

1. Damaged or dead landscaping should be replaced within 30 days after loss.
2. No artificial grass, plants, or other artificial vegetation may be visible from the street.
3. Annual flowers shall not interfere with landscape maintenance. BBCA encourages planting annuals twice per year to enhance appearance or to use perennials that bloom throughout the year.
4. Any landscaping involving new or existing plants or trees requires the approval of the Design Review Committee.
5. Non-native plants are nuisances, spread quickly and are prohibited. These include but are not limited to Brazilian Pepper, Australian Pine, Lantana, Skunk vine, Melaleuca tree, Old world climbing fern, water hyacinth, Japanese honeysuckle, and Rosary Pea.

F. Irrigation

1. Irrigation systems located in BBCA common areas are only to be operated and managed by BBCA.
2. Individual irrigation systems are the responsibility of the owner or neighborhood association. Homes adjacent to lakes must irrigate and maintain the easement area. Residents are responsible to not let grass grow to reach into the water.
3. During drought periods, BBCA may enforce water restrictions imposed by governmental authority or the companies providing the water service.

G. Household Refuse, Recycling, and Horticulture Pickup

Service is provided by Lee County as part of each owner's property taxes on all holidays except Memorial Day, Fourth of July, Labor Day, Thanksgiving, Christmas, and New Year's Day. When pick up falls on those days, pickup will be delayed by one day. Lee County reserves the right to change their schedule.

1. Condominium Properties

- a. Refuse must be placed in the condominium's BBCA Design Review approved on-site dumpster.
- b. Styrofoam packing peanuts must be placed in fastened trash bags before disposal.
- c. Dumpsters may be removed from their enclosures on condominium property for pick-up after dark on the night prior to pick-up or before 6:00AM on the pick-up day.
- d. Dumpsters must be returned to their enclosures on condominium property within 12 hours after pick-up.
- e. No loose refuse, recyclable materials, horticulture waste, or receptacles for their storage may be placed on the BBCA common areas at any time.

2. All Other Properties

- a. Trash containers should be stored so as not to be visible from the street.
- b. Refuse should be placed in an appropriate container for pick-up after dark on the night prior to pick-up or before 6:00AM on the pick-up day.
- c. Packing peanuts must be placed in fastened trash bags before disposal.
- d. Trash containers must be returned to the home within 12 hours after pick-up.
- e. Owner's may arrange for pick-up of large items directly with the hauler.

3. Trash Containers – Placed on BBCA Common Areas

- a. BBCA may remove any trash containers including dumpsters from common areas and charge these costs to the individual owner or neighborhood association via a specific assessment. BBCA may also require the owner or neighborhood association to repair any damage and restore a common area caused by improper container placement at its sole discretion. Alternatively, the restoration may be completed by BBCA or its agent and then billed as a specific assessment to the offending party.

H. Signs – Homes & Vehicles

1. The only signage permissible on a home is a permit or permit box during a building or landscape renovation. Signs on windows are prohibited. A sign may be displayed on a lot provided the sign complies with the signage guidelines for the Community and the appropriate approval is obtained. Political signage of any kind is prohibited.
2. No sign of any kind shall be attached to or displayed on or from any vehicle.

4. Community Oversight

Owners are responsible for any damage that they or their residents and guests cause to the common areas and BBCA property. Please report any damage to BBCA immediately.

A. Lakes Management

BBCA lakes are maintained to the highest level using professional aquatic management. In order to preserve a healthy balance of vegetation and wildlife, there are a few requirements:

1. Lakes and water areas are habitats to dangerous wildlife including snakes and alligators. Swimming and wading in the lakes and water areas is prohibited. Anyone using the lakes or water areas does so at his/her own risk and BBCA is held harmless for any injuries, claims, losses, or property damage that occurs.
2. Fishing by owners, residents, and their guests is permitted at the person's own risk. Lake fish are not recommended for eating, instead, catch and release.
3. No one is allowed access to these waters from the golf course or through another person's private property. No individual may fish on someone else's private property without prior written consent. Fishing licenses may be required. Fishing on golf course lakes is prohibited
4. Only non-motorized boats are allowed on the lakes and these are discouraged.
5. Boats, kayaks, and canoes are not permitted to remain on any lawn.
6. No docks are allowed in any lake.

7. Introduction of fish and other animals to our lakes is prohibited. Similarly, no chemicals, grass clippings, or any foreign substances should be introduced into any lake or natural area.
8. The lawn/landscape easement areas are to be mowed and maintained, but grass is not to grow into the water area.
9. BBCA plants some lake bank areas with littoral plants to stabilize the bank, reduce further erosion, remove nutrients from runoff and to improve lake health. Examples of littoral plants are attached in Exhibit C.
10. No chemical or mechanical means may be used by owners or their service providers to minimize or regulate the growth of littoral plants without prior BBCA approval.

Additionally:

- a. Fertilizer, pesticide or insecticide should not be used within 10 feet of the lake bank.
 - b. No fertilization is allowed during the blackout period June 1st thru September 30th.
 - c. Do not dump, sweep, or blow lawn clippings into lakes or water areas.
 - d. Do not blow yard debris into storm drains.
 - e. Do not spray, trim, or remove littorals from lakes.
11. No owners, residents, or their guests may enter the marsh or wetland areas.
 12. Flow ways, control structures and outfall pipes must be left clear and unobstructed. Owners may not make modifications or create any blockages to such flow ways.
 13. Some pathways are located on top of spreader swale berms. Occasionally, after a heavy storm, water will discharge over the pathway. Do not interfere in any way with this as it is part of the Surface Water Management System.

B. Traffic & Parking

Speed limit signs are posted on all streets. Owners, residents and their guests must adhere to all posted speed limit and stop signs.

1. All motor vehicles operated must be registered, licensed, and insured. No person under age 16 may drive motor vehicles.
2. Speeding and other traffic violations may be enforced by either the BBCA Community Patrol or the Lee County Sheriff's Department.
3. Parking on Bonita Bay Blvd, Country Club Drive, and Riverwalk Way is prohibited.
4. Overnight parking on Riverwalk Way and in single family home neighborhoods is prohibited.
5. Additionally:
 - a. Construction, service, and delivery vehicles are allowed to park on streets to provide service or delivery.
 - b. Parking of commercial vehicles, recreational vehicles, boats, trailers, watercraft and stored or inoperable vehicles except in enclosed garages is prohibited.
 - c. Recreational vehicles and boats may be parked in driveways for up to 24 hours but not more often than twice per month.
 - d. Vehicles with plastic or fabric storage covers are not permitted within view.
6. BBCA's service personnel utilize the roadways for their work. Compliance with all road signs and crosswalks will ensure safety for you and BBCA employees.
7. All non-licensed motor vehicles (e.g., golf carts, all-terrain vehicles and similar) are prohibited except those used by BBCA employees.
8. All vehicles must always yield to pedestrians, bicyclists, joggers and golf carts (crossing roadways to access the golf course).

C. Bicyclists & Pedestrians

Bicyclists are encouraged to wear helmets and must ride on the right side of roads and pathways in single file.

1. Pedestrians on the pathways have the right-of-way so pass on the left with an audible warning (i.e., passing on the left) or by ringing the bike's bell.
2. Bicyclists riding on the road must comply with all the same traffic rules that govern cars and trucks.
3. No pedestrians, bicyclists, or joggers are permitted on the private Bonita Bay golf course cart paths at any time.
4. For safety and enjoyment pedestrians and cyclists should adhere to the following path rules:
 - a. Stay to right except to pass and do not walk or ride more than two abreast.
 - b. When rounding blind corners or approaching two-way traffic, slow down and use caution.
 - c. Pet walkers need to use a short leash of 6 feet or less.
 - d. Move to the side of the pathway if you meet a friend and decide to talk.
 - e. Owners, residents, and their guests must adhere to temporary and/or path closed signs

D. Community Patrol

BBCA provides 24x7 Community Patrol which maintains controlled access at each of our entry gates to regulate the persons entering and help enforce BBCA's Rules & Regulations.

1. Vehicle & Guest Registration
 - a. An officer located at the North Guard Gatehouse will install an appropriate access barcode on each resident's vehicle(s) after reviewing the vehicle's registration. Barcodes are issued Monday thru Friday from 7:00am to 3:00pm.
 - b. All guests and vendors must be registered with BBCA and entered into the gatehouse access system or via phone at 239.947.2476. There are differing pass options that gatehouse personnel can explain.
2. Security & Liability
 - a. Community Patrol is not a security or personal protection force. Bonita Bay owners, residents, and their guests assume all risks of personal injury and loss of damage to property, including homes and their contents, resulting from the acts of third parties.
 - b. BBCA is not an insurer or guarantor of security within Bonita Bay and shall not be held liable for any loss or damage.

E. Pets, Animals & Fish

Owners, residents, and their guests shall assume full responsibility for personal injury or property damage caused by any pet and hold BBCA harmless against any loss claims or liability arising from a pet act.

1. General Requirements:
 - a. Except as allowed herein, no animal, fish, fowl, reptile or insect may be brought into or kept in Bonita Bay.
 - b. Owners, residents, and their guests are responsible for reimbursing BBCA or other parties for damage to landscaping, structures, or personal property caused by their pets.

- c. Tethering of pets is not permitted.
- d. Any disturbance by a pet such as noise, odor, or threatening or nuisance activity may be cause for Lee County Domestic Animal Services action. BBBCA may fine an owner for violations or require removal of the pet.
- e. No commercial breeding of animals is permitted.

2. Dogs

- a. Dogs are permitted but must be housed inside the owner's home.
- b. Dog runs must be approved by the Design Review Committee but outside dog houses are prohibited.
- c. Dogs must be on a short leash (6' feet or less) and under the control of their owner at all times when outdoors.
- d. Dog waste is to be removed immediately and placed only in trash receptacles (never in storm drains). Pet owners must at all times possess a means of removing the pet's solid waste.

3. Other Pets

- a. Common domesticated cats, small birds, and fish are permitted provided that they are housed and maintained within the home., Goldfish and Koi fish are approved in outside water features.

F. Native Wildlife & Invasive Species

1. Bobcats and Alligators

- a. Bobcats and alligators tend to keep other native critters in balance. Do not feed the wildlife as it will cause them to become a nuisance and threat to safety. Bobcats should not be removed. However, a nuisance alligator can be removed by calling the alligator hotline at 1.866.392.4286.

2. Invasive Species

- a. Invasive species (e.g., cane toads, iguanas, pythons) should be reported to BBBCA at groundsmaintenance@bbbcahome.com or 239.495.2113 for removal.

3. Non-native animals/reptiles

- a. These are not permitted. Should you have a non-native pet animal or reptile, the Florida Fish & wildlife Commission has an exotic amnesty program for their removal. Call the Exotic Species hotline at 1.888.483.4681

G. Complaint Procedures

Occasionally it may be necessary for the Board or Management to deal with compliance to our rules and regulations. Our policy for formalizing complaints is:

- 1. Questions regarding these Rules and Regulations should be submitted in writing to Management.
- 2. Questions related to the Design Guidelines should be discussed by the Design Review Committee prior to any Board involvement.
- 3. Neighbors should attempt to settle differences regarding rules and regulations prior to involving BBBCA or Management.
- 4. Complaints regarding rule violations must be submitted in writing to the Board via Management.
- 5. BBBCA and its Board are under no obligation to arbitrate disputes between neighbors, except in cases required to obtain compliance with the Declaration,

Articles of Incorporation, By-Laws and these Rules and Regulations.

6. Complaints reviewed by the Design Review Committee will be referred to Management with a recommendation of the action to be taken on the complaint.
7. Complaints identified as pertaining to the Rules & Regulations will be referred to Management for resolution and/or to make a recommendation for Board action.

H. Enforcement Procedure

1. The General Manager has delegated authority to determine which alleged violations shall first be addressed by a warning letter that includes Board notification for consideration of a fine and/or suspension.
2. Should an alleged violation be of the nature where a prior warning was sent, a Notice of Violation will be sent.
3. If a Notice of Violation has been sent and the violation is not abated, the General Manager may recommend a fine and/or suspension to the Board at its next or a special meeting.
4. If the Board majority agrees in a noticed meeting to levy a fine or suspension, the General Manager provides a Notice of Hearing before the Compliance Committee to the alleged violator.
5. A representative of BBCA will present evidence of the alleged violation to the Compliance Committee regardless of whether the alleged violator or his/her counsel appears. If present, the alleged violator or his/her counsel may provide written and oral argument so as to review, challenge and respond to the evidence presented by BBCA.
6. The Compliance Committee by majority vote at the hearing, provided a quorum of Compliance Committee members is present, will confirm or reject the fine and/or suspension proposed. If the Compliance Committee disagrees with the Board's decision to levy a fine or suspension, no fine and/or suspension will be imposed.
7. If the Compliance Committee confirms the fine and/or suspension levied by the Board, the Board may meet to actually impose the fine and/or suspension or deem the Compliance Committee's confirmation an automatic imposition of the fine and/or suspension without further action unless a contrary intention is reflected in the Board meeting minutes where the fine and/or suspension is levied.
8. Notice of the fine and/or suspension will be provided to the Owner and any of the parties against whom the fine and/or suspension is levied.
9. A suspension may apply to use rights of the Common Areas, Activity Center, and Beach Park, and any sponsored or social or recreational events.
10. This procedure is intended to be a guideline to fairness. However, BBCA is not required to exhaust these remedies to enforce the Governing Documents and may pursue any legally available remedies simultaneously.

5. PARKS

A. Beach Park

1. Beach Park Use and Entry

- a. The Beach Park is open from 8:00AM to 9:15PM. The Beach Park lighting is on automatic timers, set to shut down precisely at 9:15PM. The gate and restrooms will be locked at 9:15PM. All owner, resident, and guest activities should be completed by 9:00PM.
- b. The Beach Park may not be used by non-resident Bonita Bay guests unless accompanied by the resident. A family and/or guest living in a Bonita Bay home may use the Beach Park without the resident being present.
- c. Owners, residents, and their guests must show a government photo ID upon arrival and check in at the registration desk. Tenants are required to be registered with the BBKA office prior to visiting the Beach Park. A copy of the lease is required.
- d. Prospective sales customers who are accompanied by an owner or realtor are welcome to view but may not use the Beach Park facilities.

2. Beach Park Parking

- a. Parking is available on a first-come, first-serve basis. No double parking or parking in no parking areas is permitted. Trailers and watercraft are not permitted, nor is any motor vehicle that takes more than one parking space.
- b. Parking is only available to owners and residents with a resident barcode from November 15th through April 30th.
- c. Parking is available to all Bonita Bay owners, residents, and their guests from May 1st through November 14th. A resident barcode or an appropriate guest pass obtained from the BBKA office is required for entry. The on-duty attendant will check vehicle identification and the government issued photo ID.

3. Beach Park Chairs and Umbrellas

- a. Chaise lounges, sand chairs, and umbrellas are available on a first-come, first-serve basis.
- b. Staff is responsible for the distribution and set-up of chairs and umbrellas and to install or move a chair, lounge, or umbrella.
- c. During season only one chair or lounge is allowed per person and only one umbrella per group. Everyone is required to cover the beach furniture with towel(s) prior to use. Chairs and lounges are not permitted in the water.
- d. Beach equipment is only available as weather conditions permit.
- e. Persons who leave the beach area for over 60 minutes must relinquish their assigned beach furniture. Saving chairs for persons absent from the beach is prohibited.
- f. Owners, residents, and their guests are responsible for informing staff when they leave so the attendant can retrieve the beach furniture.
- g. The staff will collect all beach furniture and umbrellas immediately following sunset.

4. Beach Park Reservations

- a. Pavilions, picnic tables, and grills are available on a first-come, first-serve basis. Staff will assist in finding appropriate accommodations.
- b. Grills are for adult use only and will be cleaned by attendants. Two utility tubs are available for cleanup of pots and pans and waste receptacles are nearby.
- c. Pavilion reservations (239.992.9840) are available for owner/resident sponsored functions and only a portion of the Beach Park may be reserved. Events that entail the solicitation of business are not permitted. Reservations can be made up to two months in-advance. Reservations are not allowed on Friday, Saturday, Sunday, or Holidays.
- d. Reservations need to be cancelled as soon as known but at least five days prior to an event.
- e. The complimentary beach shuttle bus is available November 15th thru April 30th to transport guests to an event.

5. Beach Park Swimming

- a. The use of the Beach Park is at each person's own risk. Other key rules include:
- b. The entire Beach Park and the beach are Non-Smoking areas.
- c. All swimmers must wear appropriate swimming attire.
- d. Shoes, foot coverings, caftans and shirts are required outside of the beach area.
- e. Music is allowed via headphones only on the beach and without headphones at acceptable levels in the pavilions.
- f. Pets are not permitted.
- g. Alcohol is not permitted on the beach per Lee County Ordinance and violators may be ticketed. Alcohol is allowed in the pavilions and the user assumes full responsibility for any issues.
- h. Horseplay (pushing, dunking, climbing, etc.) is not permitted.
- i. All persons are required to keep the beach park clean by properly disposing of trash, food, etc.

6. Beach Park Shuttle Service

- a. During season (Nov.15th thru April 30th) a shuttle bus traveling from Bonita Bay's main property to the Beach Park is available and its use is highly encouraged to reduce parking congestion. Shuttle bus schedules are available at the Beach Park, the BBICA office, Gate House, and on the buses.
- b. The shuttle buses operate on Bonita Bay Blvd., Country Club Drive, and Riverwalk Way and the stops are marked with signage and park benches.
- c. Each trip takes 30-45 minutes, and the shuttle bus is equipped with storage racks for chairs, coolers, and personal items.
- d. The shuttle busses are wheelchair accessible

ESTERO BAY, RIVERWALK, SPRING CREEK PARK RULES

- **PARKING** - Parking of resident and guest vehicles is allowed from dawn until dusk. No overnight parking is allowed for any vehicles, boats, or boat trailers.
- **FOOD & BEVERAGE** - Grills are available for cooking. Clean-up and trash disposal is required. If alcohol is served, the resident and/or guest assumes full responsibility.
- **MUSIC** - Music is allowed but headphones are preferred to not disturb others.
- **CAMPING** - Camping and campfires are not permitted.
- **SWIMMING** - Swimming is not permitted.
- **PETS** - Pets must be under control and on a 6' or less leash.
- **FISHING** - Fishing is allowed but only as "catch & release" since the fish should not be eaten. Fishing licenses may be required by law.
- **RESERVATIONS** - Reservations for a section of the park can be made at the BBCA office or via phone (239.495.8111). An application is required and may be submitted 60 days prior to the requested date. Any damage or excessive cleaning required after an event will be charged to the owner making the reservation.
- **CANOES/KAYAKS** - Canoe/Kayak storage racks are available for lease at Spring Creek and Riverwalk Park. To check availability call 239.495.8111). (Exhibit A)

UNIQUE RULES - ESTERO BAY PARK

- **PIER** - Access to the pier is by foot only. No bikes, rollerblades, roller-skates, skateboards, or golf spikes are permitted.
- **INSECT CONTROL** - Spraying or fogging for insects is prohibited due to proximity of the Butterfly Garden.

UNIQUE RULES - RIVERWALK PARK

- **PIER** - Access to the pier is by foot only. No bikes, rollerblades, roller-skates, skateboards, or golf spikes are permitted.
- **BOAT DOCK & LAUNCH** - See separate rules - Exhibit B
- **BOCCE BALL** - Please check the schedule posted at Riverwalk Park for court availability.
- **PICKLEBALL & TENNIS** - Pickleball is permitted from 8:00 AM - 6:00PM and tennis from 8:00 AM - 8:00PM. Please check the schedule posted at Riverwalk Park for court availability. The quieter pickleball paddles are mandatory.

UNIQUE RULES - SPRING CREEK PARK

- **BOCCE BALL** - Open play
- **COMPLIMENTARY CANOES/KAYAKS** - Please call the North Gate (239.495.7173) for availability. (Exhibit A)

EXHIBIT A

BONITA BAY COMMUNITY ASSOCIATION (BBCA) SPRING CREEK & RIVERWALK PARKS

CANOE/KAYAK FACILITY

- Prior to use of the canoe/kayak launch or storage facilities there must be a signed BBCA license agreement on file. To request an agreement, call 239.495.8111.
- Residents and guests agree to create no nuisance, hazard or damage to the Parks, the aquatic preserve, or to others.
- Use of these facilities is at your own risk. BBCA shall not be held liable for personal injury or property loss.

CANOE / KAYAK USE RULES & REGULATIONS

1. BBCA Canoes/Kayaks are available without charge to residents and their guests for four hours on a first-come, first-serve basis from 7:00 AM to sunset.
2. Prior to use, the Canoe/Kayak Use Agreement must be completed and returned to the BBCA. Key criteria for use is as follows:
 - a. Canoe /Kayak use is at your own risk the BBCA shall not be liable for personal injury or loss of property.
 - b. Damage to the canoe/kayak, equipment or contents is the responsibility of the user and repairs or replacement will require reimbursement.
 - c. Users must be 18+ years old and have proper identification. Other children may only use a canoe/kayak with adult supervision.
 - d. All users must have a personal flotation device in their possession and children under age 6 must wear one (Florida Law).
 - e. Maximum capacity for a canoe is 3 people - only one child per canoe.
 - f. Canoes/kayaks are not to be removed from Spring Creek.
3. Please return the canoe/kayak in the same rack and position as it was found and lock it in place.
4. The North Gatehouse (239.498.7173) can confirm availability and issue the padlock keys with drivers 'license identification" which will be returned when the equipment is returned.

TIPS

- The travel time from Spring Creek Park is about 60 minutes (0.9 miles) towards US 41 and about 70 minutes (1.2 miles) to Estero Bay.
- Please be aware of the tides and currents. More energy is consumed paddling against the current.
- The canoe will float if it capsizes. Hold onto the canoe and move to shore.
- Swimming is not permitted as alligators are present.
- Exit the water in the event of thunderstorms and lightening.
- Bug-spray is recommended.

EXHIBIT B

BONITA BAY COMMUNITY ASSOCIATION (BBCA)

RIVERWALK PARK DOCK FACILITY & BOAT RAMP RULES & REGULATIONS

1. Prior to use of these facilities a signed BBCA license agreement must be on file. Please call 239.495.8111 to request the agreement.
2. Docks are available on a first come first served basis and may be occupied up to 30 consecutive days and no more than 60 days in a year for a resident, and 15 days and 30 respectively for a guest.
3. Boat user is responsible for any damage to the docks, structures, and facilities.
4. U.S. Rules of the Road Navigational Laws and Idle Speed/No Wake are required in the Riverwalk Park Basin and the Imperial River.
5. Users of the dock facility and boat ramp must conduct themselves as to create no nuisance to others using the park.
6. Docks must be kept clear and certain items are not permitted at any time, including:
 - a. Hoses, lines, and power cords crossing piers.
 - b. Structures or alterations of any kind to piers, ramps, pilings, etc.
 - c. Laundry drying
 - d. Advertising signage on boats, trailers, or the docks/piers.
 - e. Swimming
 - f. Living aboard a boat
 - g. Fish cleaning
 - h. Boats in inoperable condition
 - i. Hull repair, engine repair/overhaul, sanding, painting, major carpentry work
 - j. Boat trailers left overnight
7. Reasonable care and maintenance of boats and trailers like washing and general maintenance may be performed if it presents no hazard, no pollution of water, and creates no nuisance to others.
8. Use of these facilities is at your own risk. BBCA shall not be held liable for personal injury or property loss.

TIPS

- Fishing is permitted with "catch and release" as the fish is not good to eat due to chemicals in the water.
- Special caution is urged during the winter months when manatees enter the warmer inland waters.

EXAMPLES OF LITTORAL PLANTS

