

MARKUP #1 ->

MARKUP #1 · CONFLICTS WITH FED LAW

BOARD & COUNSEL REVIEW

SECTION I

INTRODUCTION

Plantation Bay Country Club (the “Club”) has been formed for the purpose of providing golf, recreational and social facilities for Members, their guests, and under certain conditions, for members of the general public. These “Rules and Regulations” should be read in conjunction with the Plantation Bay Country Club Membership Plan.

GENERAL

1. The Club and its facilities shall be open on the days and during the hours as may be established from time to time by the Owner.
2. Plans or dates for dining room activities must be approved in advance by Management.
3. Performances by entertainers will not be permitted on the property of the Club without the written permission of Management.
4. Alcoholic beverages will be served, sold and consumed on the premises and only during hours permitted by law. Alcoholic beverages will be sold or served only to persons permitted to purchase the same under the laws of the State of Florida. All alcoholic beverages consumed or otherwise possessed on the premises of the Club must be sold and purchased at the Club.
5. No commercial advertisements shall be posted or circulated in the Club, nor shall business of any kind be solicited or transacted on the property of the Club, nor upon the Club’s stationery without prior written consent of Management.
6. No petitions may be originated, solicited, circulated, or posted on any property of the Club without the prior written approval of Management.
7. The Club shall not have its facilities used for functions or fund-raising efforts for the benefit of a political cause, except as specifically permitted through written authorization by Management.
8. Outside catering is not permitted. All food and beverage consumed on Club property must be furnished by the Club and may be consumed only in areas designated by the Club, except with prior written approval of Management.
9. Members must not request special personal services from employees of the Club who are on duty.
10. Dogs and other pets are not permitted on the Club’s premises, except under special circumstances when authorized by Management.
11. All non-golf activities on the golf course and cart paths are prohibited, including, but not limited to, jogging, fishing, boating, bicycling, skating, rollerblading, walking, and walking of dogs or any pets. The cost of repairing any damage to the golf course resulting from such prohibited activity shall be the responsibility of the Member or guest.
12. Any golf cart on Club property must be registered with the Club or the HOA and shall display the proper and most current decal. No political decals, banners, or flags are permitted on any golf carts on Club property.
13. All complaints, criticisms or suggestions of any kind relating to any of the operations of the Club must be in writing, signed and addressed to Management.
14. No Member or guest shall abuse any of the Club’s employees, verbally or otherwise. No abusive or vulgar language towards any employee will be tolerated. Service employees of the Club are under the ultimate supervision of Management, and no Member or guest shall reprimand or discipline any employee or send any employee off the premises of the Club for any reason. Any employee not rendering courteous and prompt service should be reported to Management immediately.
15. Any roster or list of Members in the Club shall be considered the private property of the Club and shall not be used or given to anyone by a Member of the Club for any reason whatsoever and shall be furnished to Members only.
16. All Members and their guests shall abide by these Rules and Regulations. Violation of any of these rules or conduct in any manner prejudicial to the best interests of the Club will subject the person in violation to disciplinary action.
17. Management reserves the right to amend or modify these rules when necessary and will notify the Membership in writing of any change.
18. It is unbecoming of any Member or guest to verbally or otherwise abuse any fellow Member. No abusive or vulgar language towards any Members will be tolerated.
19. Owner always has passage rights for tee times, pace of play and Clubhouse priority use.

RESERVATIONS AND CANCELLATIONS

1. Reservations are required for most activities of the Club and taken on a first-come, first-served basis by pre-registering with the appropriate personnel of the Club.

Sec. 12 (p. 22): Flag or flagpole restriction fails to include statutory exemption for the United States flag under the Freedom to Display the American Flag Act.

Statutory / Legal Reference: Freedom to Display the American Flag Act of 2005 (4 U.S.C. § 5 Note, Pub. L. 109-243)

Statutory Comparison: The federal Freedom to Display the American Flag Act of 2005 (4 U.S.C. § 5 Note, Pub. L. 109-243) prohibits community associations from adopting or enforcing any policy that prevents a member from displaying the flag of the United States on residential property to which the member has a separate ownership interest or right to exclusive possession or use.

CURRENT WORDING IN DOCUMENT:

Any golf cart on Club property must be registered with the Club or the HOA and shall display the proper and most current decal. No political decals, banners, or flags are permitted on any golf carts on Club property.

SAMPLE DISCUSSION WORDING (FOR HOA ATTORNEY REVIEW):

In accordance with the Freedom to Display the American Flag Act of 2005 (4 U.S.C. § 5 Note, Pub. L. 109-243), any homeowner may respectfully display the official United States flag on residential property under their ownership or exclusive use.

ISSUE #1