

KENSINGTON COMMUNITY AMENITY RULES/REGULATIONS

I. COMMUNITY AREA ACCESS

A FOB is required for entry to the pool area, the tennis courts, and playground/baseball field. All rules and regulations apply to both in and off-season use of the amenities. Compliance helps the community maintain our property values, minimizes repair costs, limits access by nonresidents, and ensures mutual respect so that all residents may enjoy the community areas.

1. FOB ACCESS

- a. The Owner/renter must complete the most recent "Access FOB Form" that can be found on the website under Our Community – Documents – Amenity Forms before a FOB can be issued. NOTE: A renter must also submit an active lease agreement with end date.
- b. New homeowners may receive their first FOB at no charge. See application form for fee schedule and exemptions.
- c. If an owner rents out their property, only the property residents (renters) may use the FOB unless the property owner is still physically residing in the residence.
- d. No more than three (3) FOBs will be issued per property (**No Exceptions**).
- e. Lost and/or stolen FOBs **Must** be reported in a timely manner to prevent improper use.
 - i. A new FOB will NOT be issued without incident being reported in writing so the lost and/or stolen FOB can be deactivated first (fees apply).
 - ii. Homeowner remains responsible for any violations that occur prior to reporting.

NOTE: A FOB will not be issued without the Owner(s) agreeing to **all** rules set forth in this document **and** any additional rules posted in the POOL/Gazebo area in writing. [If there is more than one owner of the property, **all** owners **must** agree to the terms and conditions set forth in these rules and any additional rules posted in the POOL/GAZEBO area.]

2. POOL ACCESS

- a. Access to the pool area is through the main pool gate and during the in-season, FOB check-in at the Cabana with the monitor is required for the owner/renter and any guests to enter.
- b. **No** driver's licenses will be accepted in lieu of your FOB.
- c. **Only** five (5) Guests* per household allowed at a time unless area is reserved in advance (see reservations section for more information).
- d. Off-season pool access may be requested via fobs.ka.jax@gmail.com.

NOTE: If a request is denied, an appeal may be sent to hoa.ka.jax@gmail.com with the subject line "Off-season pool ACCESS DENIAL" to be reviewed by the Board at the next regular meeting.

3. YEAR-ROUND ACCESS :

The tennis/playground areas is open from 6:00 AM – 10:00 PM unless otherwise posted at the Cabana (monitoring station). Bathrooms will be unlocked, but the cabana office will not be staffed during the off-season. The bathrooms are cleaned regularly. Owners and their Guests are expected to help keep them clean and to notify Kensington's management agency (contact information on website: <http://kensingtonhoajax.com/>), or email landscape.ka.jax@gmail.com if supplies are low and in need to be restocked between the scheduled cleanings OR to report any damage and/or vandalism so, video footage may be reviewed to identify the offender. NOTE: If Kensington experiences ongoing issues in the amenity areas, the off-season access will be terminated for all residents.

II. POOL RULES – Conduct and Usage

These rules are in addition to any rules posted at the pool.

1. NO ALCOHOL of any type is allowed in the pool area. If alcohol (or public intoxication) is observed, you will be asked to leave the area immediately. Failure to comply will result in JSO being called.
2. NO glass containers of any type are permitted in the pool, pool deck, or gazebo area.
3. No food or drinks are allowed in the pool or within the wet deck area (the four (4) feet of surface surrounding the pool, including steps and ladders) with the exception of water.
4. Additional pool rules include but are not limited to:
 - a. Shower before entering the pool;
 - b. No running, rough play, flips, or diving is allowed;
 - c. No animals, bikes, skateboards, roller blades, playground equipment allowed within the fenced area;
 - d. No fishing inside pool fence;
 - e. No smoking or vaping (tobacco products or medical marijuana) within the pool fence;
 - f. Children under fifteen (15) **Must** be accompanied by an adult;
 - g. Diapers are NOT permitted in the pool (see #7 below);
 - h. Raft and float usage is at the discretion of the pool monitor (No oversized items permitted);
 - i. Bathing suits are required: NO cutoffs OR apparel that shows Private Parts or does not comply with Florida Statute 800.03 exposure of sexual organs;
 - j. No public displays of affection (PDA);
 - k. Pool capacity load is sixty-six (66) persons;
 - l. Umbrellas should be secured when windy to prevent damage or injury;
5. Disorderly or disruptive behavior will NOT be tolerated. This includes but, is not limited to:
 - a. bullying or verbal abuse to another resident, guests or any pool monitors;
 - b. physical violence of any kind;
 - c. public intoxication;
 - d. loud or vulgar* music (i.e. music **Must** be low enough that any adjacent Owners/guests can hold a normal conversation, no profanity, sexual content, or references to violence, etc.)IMPORTANT NOTE: a single warning “may” be provided; continued disruptive behavior will result in a request to immediately leave the area. Noncompliance may result in JSO being contacted for trespass. [See NONCOMPLIANCE section below.]
6. IF YOU ARE ILL, PLEASE NOT ENTER THE POOL OR SURROUNDING AREAS.
Accidents involving fecal matter (i.e. poop, diarrhea) or vomit **REQUIRE, by state law**, the closure of the pool to ALL in-water activities for predetermined time periods to allow for sanitation to take place. If you are ill, you will be asked to leave the area. Noncompliance may result in JSO being contacted for trespass. [See NONCOMPLIANCE]
7. Young children using diapers or pull-ups **Must** wear swim diapers to enter the pool. Having an accident may result in your being asked to leave the pool area. If a child is not using swim diapers

and an accident results in pool closure, this will be documented on the FOB Owner's HOA Account and may result in a fine to cover the cost of cleaning the pool or FOB deactivation [See APPEALS].
NOTE: A small supply of emergency diapers may be available from the pool monitor, if needed. This is a limited supply and is not guaranteed to be available.

8. Owners, Renters, and their Guests are NOT allowed to be in the pool, pool deck, gazebo area when the pool is closed for the evening (closing time varies throughout the year, please see Kensington website for current closure times). NOTE: THIS IS A LEGAL REQUIREMENT BY THE STATE OF FLORIDA.
 - a. OFF-SEASON FOB access: the Pool/gazebo area is accessible during this time but, does not have monitors. Pool hours will be posted on the website as opening/closing times change due to legal requirements of not having the pool open for swimming when the natural light levels are not high enough (dusk to dawn). Dusk is defined as 30 minutes prior to sunset. If you plan to be there early/late, use the sunrise/sunset times for guidance to ensure you are not in the pool area after closing.

NOTE: if you are observed in the pool area after dusk, your FOB will be immediately deactivated.

(Cameras are in use and record the area 24/7.)

9. Instances where pool closure is REQUIRED due to ANY of the following events:
 - a. specific weather events that are occurring, including hurricane preparation;
 - b. a contamination event in/around the pool area (i.e. feces, vomit, etc.);
 - c. issues with our regular maintenance of pool filtration/sanitation equipment,

NOTE: Pool monitors may ask Owners and their Guests to leave and noncompliance may result in further action. In any case, a sign denoting "POOL CLOSED" shall be displayed at the monitoring station. Every effort will be made to send out a notification to all registered emails in a timely manner to notify Owners of any scheduled closures or when the pool must be closed more than four (4) hours prior to the normal closing time for the day. **FOBS WILL NOT WORK IN THE POOL AREA WHEN IT IS CLOSED FOR MAINTENANCE OR ANY OTHER REASON SPECIFIED IN THIS SECTION.**

III. NONCOMPLIANCE

1. If an Owner/renter or one of their guests violates any of the rules/regulations, a single warning "may" be provided depending on the specific situation. However, if there is a request for an individual to immediately leave the area. Noncompliance may result in JSO being contacted for trespass.
2. If JSO has to be called or multiple violations for any of the rules/regulations have been recorded, all FOBs for that property address will be deactivated until the Owner presents themselves to the Board to explain their or their guest(s)' actions. Violations will be noted on the HOA account.
3. Cameras are in use and record the area 24/7. Review of the recordings are done periodically to check for potential issues or concerns, as well as, if an issue or incident is reported. The offenders can be identified and if any Damage is assessed, the Owner will be responsible for any costs and/or fines for repair and/or cleanup. An invoice will be mailed to the Owner for payment within 30 days.
NOTE: any cost(s) and/or fines that are not paid within 30 days will be assessed to the HOA Account and will follow the governing rules for fines that could lead to a lien on the property or foreclosure.
4. Any potential fines will go through the Fines Committee for due process purposes.
5. Pool monitors have been advised to strictly enforce these rules. Bullying or verbal abuse toward the pool monitor will NOT be tolerated. Pool monitors have been directed to contact JSO if they feel

threatened, and the Owner or their Guests do not immediately leave when it is requested for them to do so.

IV. RESERVATIONS

1. Kensington allows for the Gazebo area to be reserved for parties and events. In order to use the gazebo area for an party/event, the Owner **Must** complete the “Gazebo Reservation Application” that can be found on the website under Our Community – Documents – Amenity Forms. All rules on the Gazebo Reservation Application **Must** be followed, as well as, the additional rules set forth in this document.
2. The Owner’s HOA account **Must** be in good standing at the time of the reservation **and** at the time of use.

NOTE: Any fees assessed due to noncompliance will be charged to the Owner’s HOA account, and if not paid within 30 days, late fees may be assessed.

Approved 2/20/2024