

LYNDHURST HOMEOWNER'S ASSOCIATION

2024 Common Area Rules

Revised November 12, 2024

Lyndhurst common property, hereinafter known as common area (CA), is private property owned by the members of the Lyndhurst Homeowner's Association (LHOA) and which is governed by the Lyndhurst Board of Directors (BOD). The Bylaws authorize the Board of Directors to establish rules and regulations governing membership privileges in the CA. Accordingly, the BOD restricts the use of common areas to the exclusive use of LHOA members, all of their family living with them, their legal tenant when authorized by the owner, said tenant's family members living with them; as well as authorized guests (see below for definition of authorized guest) who are not in violation of a valid ACC complaint and whose financial account with LHOA is current. Each Lyndhurst member is expected to abide by and has the right to assist in enforcing these rules.

General: All Common Areas

Proper identification must be maintained when members, families, and guests use the common area. Any member can request valid identification from anyone using the common area. The preferred method for identification is presenting the pavilion key card, which has affixed the member's address. Note: A family member should maintain the key card whenever they are within the fenced-in pavilion area.

LHOA Member or one family member must be present at any time a guest is using the common area(s). Accordingly, the member's responsibility is to ensure that their family does not get or allow undesired or unauthorized access. Guests are allowed and defined as: Individuals who are not permanent residents in the subdivision.

Guests must have the Lyndhurst Board of Directors (BOD) approval to utilize the common area. Approval will be in written form.

The Board of Directors approves/authorizes up to six (6) guests from each member household subject to a family member being in attendance and being able to identify their guests by Name when asked. Should the total number of guests in a party exceed six, the Homeowner or their authorized

tenant must have written approval from the Lyndhurst Board of Directors (BOD) while in attendance.

PRIVATE PARTIES - **No** private parties/events without a written request to the BOD, two weeks (14 days) prior to the anticipated event.

Request for approval must be submitted to the President of the BOD and received back before the event. The request must include the Homeowner (Tenant) Name, address, hours (time block for the event), Name of the member responsible for supervision during said time, and maximum number of guests in attendance. In no case shall guests/members at the event occupy more than half of the space under the covered portion of the pavilion or more than half of the tables. In addition, the event shall yield one tennis court to any LHOA member wishing to play.

If no such written authorization is produced the Homeowner, their family, tenant, tenant's family, and all guests must leave immediately.

The President must approve any instruction that would incur a fee for said instruction of the Association.

- The fee for more than 6 guests (not including homeowners) is **\$10 per guest**.
- The guest count must be given **14 days** prior to the usage.
- The fee amount of \$10 per guest, exceeding 6 guests, must be paid **3 days** before the reserved date.

Pool & Pavilion Rules & Guidelines

ACCESS - Member's key card should be activated in the usual fashion when entering the pool area, even if the gate is being held open by someone in another party.

HOURS - Pool enclosure (inside the fence) is closed from 9 PM until 9 AM. An authorized party may remain until 9:30 PM to exit. Swimming season is from Memorial Day weekend through Labor Day. Pavilion restrooms may be used on other dates until the restrooms are winterized.

NO LIFEGUARD ON DUTY - LHOA is not responsible for accidents, injuries, death, or supervision. Note: Federal Law prohibits LHOA from setting age limits on any activity.

SWIM AT YOUR OWN RISK - No solo swimming.

REST ROOM FACILITIES- Females only are allowed in the female facility. Males only are permitted in the male facility.

FOREIGN OBJECTS - Only plastic or metal containers are allowed in the pool area. **Glass bottles and containers are expressly prohibited.** Do not throw food, trash, metal tabs or bottle caps in the pool.

SMOKING - Smoking in the pool and pavilion area is **prohibited**.

NO DIVING - Absolutely no diving is allowed. NOTE: Backflips are considered diving.

FLOATING DEVICES - Only inflatable floats are allowed in the pool; **NO** floating lawn furniture is permitted. If the pool is crowded, remove your floating devices.

PETS - **NO** pets are allowed in the fenced-in pool area.

SWIM ATTIRE - Only recognized swim attire is permitted in the pool. Swimming in street clothes, cut-off jeans, shorts, or thongs is not allowed.

Babies and Toddlers (who have not yet been potty-trained) must always wear swim diapers, when in the pool.

EXPOSED SKIN - **No** streaking or skinny dipping allowed.

No persons with skin abrasions, open blisters, cuts, skin disease, sore or inflamed eyes, colds, nasal or ear discharge, or infectious disease are allowed in the pool.

Do not swim in the pool after applying suntan oil or lotion without first taking a shower.

LOUD MUSIC/TALKING/SHOUTING - Loud and offensive music or language is **prohibited** in the pool and pavilion area. Music volume must be kept at a comfortable level so as not to impose on others.

BEHAVIOR - Walk on the pool deck - do not run. Rough play, horse playing, excessive splashing, water fights, or dunking is not permitted. Be

considerate of fellow homeowners and respect their right to quiet enjoyment of the pool area.

TRASH - All trash must be placed in trash receptacle before leaving the pavilion or swimming area. Large parties should plan for trash removal. Trash not able to fit in the one (1) designated trash bin **MUST** be removed by the homeowner. Take all excess trash with you. If violated, the Homeowner/Tenant will be invoiced for the cost of trash removal.

The Homeowners' Association is not responsible for personal items or objects left behind and will be considered abandoned.

EMERGENCY - IN THE CASE OF AN EMERGENCY, USE THE POOL/PAVILION TELEPHONE - **DIAL 911.**

General Information

- **No** Bar-b-que or Open Flames are allowed in the pool/pavilion area.
- **No** Alcohol, Drugs, Cigarettes in the pool/pavilion area.
- **No** Weapons (guns, knives, etc.) allowed in the pool/pool pavilion area.
- **No** jumping over the fence.
- Close umbrellas before leaving the premises.
- Return all chairs under tables, leave the area clean, and take all garbage with you or put it in the trash container.
- Pool gate must be kept closed at all times. Do not open or hold open the gate for anyone not in your party.

Weather Protocol – Lightning Safety Protocol for the Pool Area

The pool is to be evacuated at the first signs of lightning or thunder. If you can hear thunder, suspend all pool activities. Vacate the pool/pavilion area for at least 30 minutes after the last observed lightning or sound of thunder.

AVOID:

1. Waiting under all trees and umbrellas.
2. Use of showers or other contacts with water.
3. Use of the telephone.
4. Contact with metal objects.

Lake Rules

- **No** swimming is permitted in the lake.
- **No** trash, rubbish, or refuse, including cigarettes and cigars, will be placed in the lake. Boats are allowed on the lake if the boat does not employ an internal combustion motor.
- The dam spillway is **not** to be used to launch boats.
- Trespassing on the three islands in the lake is prohibited.

Fishing shall be permitted on the lake under the following restrictions:

- Fishing is governed by the fishing rules of the State of Georgia.
- Fishing limits are strictly enforced as per the fishing rules of the State of Georgia.
- **No** guest may fish in, or boat on the lake unless accompanied by a member of the Association.

To preserve our privacy rights, enforcement is mandatory. As an aid, members are encouraged to email the President with their Name, the number in their party, and the date and times they plan to be at the lake.

Office Space

The office is available for BOD and approved committee use only. It is not available for private use.

Violations

NOTE: As indicated above, the common area is for the enjoyment of LHOA members. For over 15 years, we have established rules to help ensure that this occurs. Unfortunately, because of a few, it has been necessary to develop actions to help motivate compliance. Personal confrontations have become risky at best. Law enforcement only acts on trespassing by non-residents. Because of this, the BOD has felt it necessary to institute fines for rule violations. BOD believes, however, that if homeowners ensure that their families are aware of these rules, which primarily involve common sense and safety, seldom should fines be required.

TRESPASSING: Failure to present proper identification after a request or jumping the fence to our pavilion area will be considered and acted upon as

trespassing. Individuals who are not identified as authorized guests shall be deemed as Trespassers and treated accordingly. **Law enforcement will be notified.**

After said notification to legal authorities, should said occupant(s) be determined to be residents in the subdivision, the Homeowner shall be assessed a **\$100 fine plus a \$25 fine** for each person in their party.

FINES: Glass containers, weapons, smoking, and alcohol in the fenced-in portion of the common area, as well as jumping the fence, are considered zero-tolerance violations and will incur the following actions:

- Guns and knives are prohibited inside the fenced area of the pool or tennis courts. Weapon violations will be immediately reported to Law Enforcement.
- A **\$100** fine will be assessed to the Homeowner, which also applies if a family member or guest is in breach.
- Glass containers will incur a **\$100 fine - \$500** if any broken glass is assessed to Homeowner to cover cleanup.
- Alcohol and smoking will incur a **\$25 fine**.

NOTE:

- A family member's party is considered as everyone in their family and guest(s).
- Residents in Lyndhurst Subdivision who are not financially current with their LHOA dues or have an ACC violation are not authorized to utilize the common area as "guests" of current members. Member in violation will be considered as trespassing.
- Anyone allowed entrance to the common area by a member, their family, their authorized tenant, or anyone considered their guest shall be regarded as their guest. It is recommended that homeowners incorporate this information in any lease.
- "Guests" associated with a family party cannot be redistributed to other families present to lower the number of their guests.

Damages/Destruction

Anyone or their guest caught tampering with or damaging the pool, pool equipment, furniture, gate or any other common ground property will automatically have privileges suspended for the remainder of the year.

The Violator will be required to **pay restitution to the LHOA to cover all expenses and/or \$100, whichever is more.**

Should homeowners refuse to leave the common area when told to do so due to unauthorized guests, they shall be assessed a fine of **\$100** in addition to any other appropriate charges or penalties.

Males entering a female restroom or female entering a male restroom shall incur a **\$100 fine.**

Key and access cards should be given to the new Homeowner if the property is sold. Failure to provide new Homeowners with issued keys and cards will incur the appropriate additional charge at closing.

Homeowners with fines or restitution not paid within **10 days** shall lose common area privileges until paid, along with incurring any additional late fees, interest and any other associated fees or penalties.