

Wyngate Community Association

Rules and Regulations for Common Amenities

Introduction

If everyone will carefully observe these rules and always be considerate of others, it will add to the enjoyment of our Common Amenities by all Wyngate homeowners and their invited guests. It is the responsibility of each homeowner to read and follow the rules set forth here.

General Community Rules

Amendments

These rules may be changed, amended, or repealed at any time and without prior notice. As necessary, the Board of Directors may make exceptions to these rules at their sole discretion.

Animals

Domesticated animals, except seeing-eye dogs accompanying homeowners and guests, are not allowed in the pool area, tennis courts, playground, park or in the clubhouse. Cherokee County leash laws must be followed at all times.

Attire

It is expected that Homeowners will choose to dress in a fashion befitting the surroundings and atmosphere provided in the setting of our community. It is also expected that homeowners will advise their guests of our dress requirements.

Controlled Substances

Controlled substances, as defined by Georgia and federal laws, other than those prescribed by a physician for medical reasons, are not permitted on the Common property.

Discipline

A homeowner's amenity use may be terminated or suspended by the HOA if the homeowner:

- Exhibits unsatisfactory behavior, conduct or appearance, and fails to remedy the behavior after notice by the Association
- Treats the agents, employees, or other members of the Association in an unacceptable manner
- Exceptional displays of unacceptable behavior or other actions may result in the immediate suspension of amenity privileges, without notice
- Fails to pay Assessments or fees in a proper and timely manner (see Covenants and Bylaws);
- Fails to abide by the rules and regulations as set forth for use of the Common amenities
- Permits his or her remote access card to be used by an unaccompanied guest

Gambling

Gambling held illegal by the State of Georgia is not permitted on Association property.

Glass Containers

Glass containers are not permitted in the amenity complex, playground or pool areas.

Guests

Each household in good standing may bring up to four (4) accompanied guests at any one time. Residents under the age of 21 may bring (2) accompanied guests at any one time. Unaccompanied guests are not permitted.

Liability

Neither the Association, its officers nor its agents shall be liable for any injuries to persons or damage to or loss of property involving homeowners, guests, or other persons on the Association premises. Each homeowner or guest agrees to indemnify and hold the Association and its agents harmless from and against any and all claims made by them and their guests or invitees, occurring on the Association premises for personal injury, damage to, or loss of property not proximately caused by the gross negligence or willful or wanton conduct of the Association.

Mailing Address

Each Homeowner shall be responsible for filing with the Association, in writing, his or her mailing address and any changes thereto, to which the Owner wishes all notices and invoices of the Association be sent. A homeowner shall be deemed to have received mailings from the Association ten days after they have been mailed to the address on file with the Association.

Mailing List

The Association's mailing list shall not be used for any commercial purpose. Charitable and other solicitation of the membership may only be made with specific approval by the Board of Directors.

Non-Discrimination

The Association prohibits discrimination against and harassment of any employee, agent, homeowner or guest because of race, color, national or ethnic origin, age, religion, disability, sex, sexual orientation, gender identity and expression, veteran status or any other characteristic protected under applicable state or federal law. Any acts of discrimination by a homeowner may result in disciplinary action.

Notices

No notice should be placed on any bulletin board(s) or other place on the Association premises or property without prior approval. Posted notices shall be limited to Association matters.

Petitions

No subscription paper, petition, political poster, or similar document shall be circulated, nor any article exposed for sale or barter in the Clubhouse or on the Association premises by homeowners or guests.

Profanity

Absolutely no profanity of any kind will be permitted.

Property, Personal Injury

Each Homeowner and guest assumes sole responsibility for his or her property. The Association shall not be responsible for any damage to any private property used or stored on the premises of the Association.

The removal from the room in which it is placed, or from the Association's premises, of any property or furniture belonging to the Association without proper authorization is not permitted. Every Homeowner and guest of the Association shall be liable for any property damage and/or personal injury on the Association premises.

Any Homeowner, guest or other person who, in any manner, makes use of or accepts the use of any apparatus, appliance, facility, privilege or service whatsoever owned, operated by the Association, or who engages in any contest, game function, exercise, competition or other activity operated, organized, arranged, or sponsored by the Association either on or off the Association's premises, shall do so at his or her own risk. The homeowner shall hold the Association and its owners, owners', officers, employees, representatives and agents harmless from any and all loss, cost, claim, injury, damage or liability sustained or incurred by him or her, resulting from and/or from any act or omission of any owners, owners' officers, employee representative or agent of the Association. Any Homeowner shall have, owe and perform the same obligation to the Association any its owners, owners', officers, employees, representatives and agents hereunder in respect to any such loss, cost, claim, injury, damage or liability sustained or incurred by any guest of the Homeowner.

Records, Access To

As a general rule, Association records, accounts, and files of whatever nature are maintained by the Association property manager in connection with Association business, operations, and functions. It shall constitute misconduct for a homeowner to inspect, read, or copy such records, accounts, or files without Approval from the Board of Directors. Any Owner who knowingly permits any unauthorized inspection, reading, or copying of records, accounts or files shall be disciplined for misconduct.

Nothing in these rules shall be construed as denying a homeowner the right, during office hours, and in the presence of an authorized representative, to inspect and review, or have copies made when appropriate, of any record or data pertaining to his or her individual account with the Association.

Remote Access Cards

Access cards have been distributed to homeowners. Additional cards can be issued at the request of the Property Owner for eligible people 12 years of age or older at a charge determined from time to time by the Board of Directors. The Board of Directors may also establish a limit on the number of cards per household. Access cards should be transferred with the sale of a home. Presentation of an Access card is required prior to use of the recreational facilities of the Association. Each Owner should have the card accessible at all times when on Association property.

An Access card may only be used by the person to whom it is issued. In the event of a lost or stolen card, the Association must be notified. The ability to use that card will be canceled. For each access card replaced, a service charge will be placed on the Owner's account or must be paid by the Homeowner.

Smoking

Homeowners and guests are asked to be considerate of others. The entirety of the Pavilions, pool, tennis, playground, park and Common areas are non-smoking and all forms of tobacco are prohibited.

E-cigarettes and vaping are included in the smoking guidelines listed above.

Solicitations

No demonstration nor solicitation on behalf of any political, sectarian, or other group shall be made on the Association property, nor shall printed matter on behalf of any person, party, or legislation be distributed on Association common property without the express permission of the Board of Directors.

Special Functions and Events

Plans or dates for activities in the Pavilions or at the Pool must be approved in advance by the Board of Directors or the Property Manager. Any event deemed to be in conflict with the family nature of the community or inappropriate in terms of attendees or subject matter may be denied at the sole discretion of the Board of Directors.

Common Areas and Playground Rules and Safety Guidelines

Hours: Daylight Hours (Dawn to Dusk), 7-days a week

Grills

No grills or other form of cooking are allowed, with the exception of grills installed by the Association. Property owners are responsible for removal of trash, coals, and clean-up of any grilling related activities.

Use of Playground Equipment

- No running up the slides.
- No sitting, walking or standing on the horizontal ladders.
- Do not jump out of swings.
- Do not throw sand.
- No sitting or climbing on top of the slide towers or equipment roofs.

Safety and Age Requirement

Owners are responsible for their children's safety at all times. Adult supervision is required for all children under 12.

Smoking and Tobacco

- No smoking, use of e-cigarettes, vaping, or use of any tobacco product is permitted in the pool area.
- Controlled substances are prohibited
- Anyone appearing intoxicated from the influence of alcohol or narcotics or will be denied admission

Sports Equipment

Use of baseballs, softballs, bats, golf balls and golf clubs are not permitted in the playground area.

Trash

All trash must be disposed of in proper containers.

Vehicles and Recreational Transport

Use Scooters, bicycles, skateboards, skates, chairs, vehicles, or similar equipment are not permitted on the playground or sidewalks. Bikes, skates, skateboards, scooters, and roller blades must be walked through the area if required.

Motorized and/or powered vehicles of all types are limited to use and operation in the Association parking lots only.

Clubhouse and Pavilion Guidelines

Homeowners and guests for special events are subject to all rules as indicated in these rules.

Cleaning

The Homeowner is responsible for cleaning up after their use and/or event. If deemed necessary by the Association, a clean-up fee may be assessed.

Fee

A fee may be required for use of the for a special occasion party. Contact the Association for specific amounts.

Limits

Each homeowner is limited to no more than three parties per season.

Reservations for weekend special event parties may be limited due to homeowner usage, and the number of parties on any given day may be limited by the Association.

Exceptions may be made at the discretion of the Board of Directors.

Reservations

Reservations for all events must be made through the Property Management company and must be made at least seven days prior to the special event. Each rental request requires a deposit, completed Reservation Request Form, and approval by the Association. Specific Clubhouse rental rules are included on the Reservation Request Form.

Tennis Court Usage Rules

Tennis Hours: 7:00 AM – 11:00 PM, 7-days a week

Children

Children who are not playing tennis are not allowed to “play” on the tennis courts.

Clothing

Proper tennis attire (no cut-offs, jeans, etc.) must be worn during play. Tennis shoes and shirts are mandatory.

Court Lights

Court lights are not to be used after 11:00PM.

Court Time

Players will be allotted one and one-half hours for singles or doubles.

Court Use

Courts are for tennis use only; no bicycles, skates, skateboards or roller blades are allowed. Any of these items taken through the tennis area must be walked or carried.

Damage

Cost of repairs due to malicious damage is the responsibility of the player.

Food and Beverage

No food or beverages are allowed on the courts, except water in a non-breakable container. Prohibited items include gum, smoking materials, and chewing tobacco.

Guest Policy

Unaccompanied guests are not allowed.

Lessons

Tennis lessons are to be given by Association approved vendors only.

Pets

No pets are allowed in the tennis area.

Smoking and Tobacco

- No smoking, use of e-cigarettes, vaping, or use of any tobacco product is permitted in the pool area.
- Controlled substances are prohibited
- Anyone appearing intoxicated from the influence of alcohol or narcotics or will be denied admission

Trash

Please be courteous and pick up your trash when leaving the courts.

Policy for Fecal or Vomit Contamination in the Pools
(Effective June 24, 2019)

Each time a fecal or vomit incident occurs, the Association is required to close the pool for an emergency chemical service to re-sanitize the water. Pool closure for such accidents can be as long as 24-hours, causing inconvenience and increased costs to the many homeowners, families, and guests using the pool. While vomit accidents may be unforeseeable and unavoidable, fecal accidents can and should be prevented. To ensure fecal accidents are kept to a minimum, members are required to ensure their own children and children of their guests are wearing the appropriate approved swim diaper and plastic pants. All children not fully toilet trained must wear an approved diaper and plastic pant before entering the pool. If any child accompanying a homeowner has a fecal accident in the pool, and was not wearing the required diapers and plastic pants, the member will be charged a \$100.00 fine, plus any potential additional fees to sanitize the pool. Pool privileges will be suspended until the fine has been paid in full. Please note that repeated offenses may result in further and escalating actions to be determined by the Board of Directors

