

CHAPTER SIX - Section 6.01
RECREATION FACILITIES AND ACTIVITIES

[Replaces Version of: May 27, 2004]
Adopted: March 30, 2005
Amended: March 22, 2007
Proposed September 24, 2009

I. POLICY

It is the policy of the Lake Monticello Owners' Association to provide and maintain community recreational facilities for the use and enjoyment of members, their families and their guests. The facilities are operated at the minimum possible cost, while still maintaining a standard of quality and value consistent with the desires of a majority of the members.

- A. Fees may be charged for use of some of these facilities. Such fees may be adjusted annually by the Board of Directors as part of the budget development process, and shall be included in the Association's schedule of dues, assessments, charges and fees.
- B. Commercial use of the recreational facilities shall be prohibited unless a contract to provide a specific service has been executed by the Association or a rental agreement is entered into for the use of a recreational amenity.
- C. LMOA may sponsor various Lake activities during the year. Approval of the General Manager must be obtained prior to scheduling these events. Rental of the Lake for any type of activity is prohibited.
- D. No member may transfer the right to use an amenity to any other member or individual, unless specifically provided for in the Association's Bylaws or in this Policy Manual.

II. RESPONSIBILITIES

- A. The LMOA General Manager shall have overall responsibility for the operation and maintenance of recreation facilities in conformance with policies established by the Board of Directors.
- B. The Board of Directors may charter committees to provide advice on the promotion, operation and maintenance of the Association's recreational facilities. The Charters for any standing committees so established shall be made a part of Chapter Sixteen of this Policy Manual.

III. DEFINITIONS

- A. Private Event: Any activity where the sponsor, whether or not a member of LMOA or a LMOA members' social or civic group, specifies or limits attendance at the event.**
- B. Public Event: Any non-private event where the general public is able to participate, including but not limited to events where tickets are sold, there is advertising, there are open booths, etc. The sponsor may or may not be a member of LMOA or a LMOA members' social or civic group.**

IV. RESERVING AMENITIES AND FACILITIES

- A. Any booked use of a room or assigned common area is not considered "booked" until the appropriate contract is signed by the event sponsor and the event is added to the LMOA Master Calendar. See Policy Manual 4.02J for additional contract information. Minor events not requiring a contract, such as LMOA committee**

meetings, ongoing LMOA club events and special LMOA club events may be booked by contacting the LMOA Office.

It will be the responsibility of the General Manager or a designee to use proper discretion if such services and space for a not for profit event conflicts with a for profit event.

All users are expected to leave the premises neat and all trash placed in suitable containers. In the event of abuse of the room reservation and/or use privilege, the General Manager may impose such penalties or take such action as deemed appropriate, including suspension or loss of room reservation/use privileges.

- B.** Association owned chairs, tables, linens, electronic and other equipment, etc. shall not be removed from the common areas. Appropriate rental fees for use of such items, where applicable, shall be part of a contract or agreement for Association catered or Association approved activities.
- C.** Fees are established by the Association and are found in the schedule of dues, assessments, charges and fees. At the determination of the General Manager additional security coverage may be required to assure proper safety needs are met and the cost shall be charged to the event sponsor.
- D.** The pool may be rented during the regular operating season (Memorial Day to Labor Day), outside regular hours of operation, for a minimum of 1 hour at the current, published hourly rental rate. No discounts will apply to pool rentals of one-hour duration. Rentals of one hour only must immediately precede or follow regular pool operating hours unless extenuating circumstances apply.

HHV. RULES AND REGULATIONS

- A.** Policies, rules and regulations pertaining to the operation and use of the Association's recreational facilities shall be made a part of Chapter Six of this Policy Manual.
- B.** The General Manager is authorized to establish operating hours for each of the Lake Monticello recreational facilities, and to post signs that state those operating hours. Unauthorized entry upon any of these facilities in violation of the posted operating hours shall constitute trespass.
- C.** LMOA property owners and Marina Point unit owners shall be held personally responsible for the actions of their guests or tenants utilizing the Association's facilities and amenities. All facility users shall be expected to be familiar with, and adhere to, the Rules and Regulations in this chapter.

VI. FOOD SERVICE (including non-alcoholic beverages)

Sponsors or organizers of events at which food is served must ensure compliance with applicable requirements of the Virginia Department of Health (VDH). Under certain circumstances VDH will require a Temporary Food Service Permit.

A. Clubhouse

- 1. Food Service Lease Holder:** A contract exists between LMOA and a lessee to provide certain food services at the Clubhouse. The lease includes Exclusive Areas and Non-Exclusive Areas.
 - a.** The food service lessee has a permanent food service permit.
 - b.** LMOA does not have a food service permit for the Clubhouse.

2. **Exclusive Areas:** Only the food service lessee can provide food services in Exclusive Areas. The event sponsor must contact the lessee to reserve space or contract for food services in an Exclusive Area.
 3. **Non-Exclusive Areas:** Areas which may be available to the food service lessee for food services although these areas are retained primarily for the use of LMOA members.
 - a. **Faulconer Room:** The food service lessee shall have right of first refusal to service food and beverage related functions held in the Faulconer Room.
 - b. **Non-Exclusive Areas other than the Faulconer Room:** Event sponsors may reserve these areas for events where food will be served. The event sponsor may contact the food service lessee to provide food or the sponsor may provide the food themselves. There will be no catered delivery service permitted.
 - c. **Card/game and other groups who regularly use Non-Exclusive Areas during the day may 'brown bag' their lunches as these lunches are considered to be Private Events.**
 - d. **Business Office:** LMOA employees may bring food into the Business Office at any time and all occurrences are treated as Private Events.
 4. **Virginia Department of Health Temporary Food Service Permit:** Not required for Private Events serving food. A Public Event serving food may require a permit and it is the responsibility of the event sponsor to contact the Virginia Department of Health to determine if a permit is necessary and to comply with the Temporary Food Service Permit regulations.
- B. Pool and Pool Snackbar**
1. LMOA has a permanent food service permit to prepare and serve food at the Pool Snackbar.
 2. Daily patrons may purchase food or 'brown bag' their food.
 3. Event sponsors must follow the process detailed in an appropriate contract.
- C. Eagles Nest**
1. LMOA has a permanent food service permit to prepare and serve food in the Eagles Nest.
 2. Daily patrons may purchase food or 'brown bag' their food.
 3. Event sponsors must follow the process detailed in an appropriate contract.
- D. Other Common Areas (for example, lawns, beaches, playgrounds, etc.)**
1. LMOA does not have a food service permit to serve or prepare food in any common area other than the Pool Snackbar and the Eagles Nest.
 2. Daily patrons may bring food to these common areas.
 3. Event sponsors must follow the process detailed in an appropriate contract.

VII. ALCOHOLIC BEVERAGE SERVICE

Violators of LMOA rules on the possession and consumption of alcoholic beverages shall be subject to immediate dismissal from the premises. For LMOA Members, such violations shall result in referral to the LMOA Compliance Committee for adjudication. Confirmation of such a violation by the Compliance Committee could result in a monetary penalty.

- A. Clubhouse**
 - 1. A contract exists between LMOA and the food service lessee to provide alcoholic beverage services at the Clubhouse.
 - a. Only the food service lessee has a license to serve alcoholic beverages.
 - b. LMOA does not have a license to serve alcoholic beverages in the Clubhouse.
 - 2. No alcohol may be served at events, either private or public, held in the Clubhouse Exclusive or Non-Exclusive Areas unless the alcoholic beverages are provided by the food service lessee.
- B. Pool and Pool Snackbar**
 - 1. LMOA does not have a license to serve alcoholic beverages in the pool area or adjacent areas.
 - 2. Alcoholic beverages are not permitted in the pool area except as may be authorized by management and consistent with Alcoholic and Beverage Commission regulations.
- C. Eagles Nest and Golf Course**

The dispensing and consumption of alcoholic beverages at the Eagles Nest and on the Golf Course are governed by LMOA's permit as issued by the Virginia Alcoholic Beverage Control Commission (ABC). Violation of any ABC permit is a violation of Virginia State Law and is subject to civil or criminal charges. See Policy Manual 06.07.

 - 1. The consumption of beer and wine is permissible in the Eagles Nest and on the Golf Course. All such alcoholic beverages shall be purchased at the Eagles Nest or from mobile beverage outlets operated by the Eagles Nest under LMOA's ABC license. Possession of beer or wine in these areas not purchased from the Eagles Nest shall constitute a violation of LMOA rules. Consumption of alcoholic beverages other than beer or wine in these areas is prohibited.
 - 2. No alcoholic beverages or containers shall be brought into the parking lot area.
 - 3. Enforcement of these rules shall be the responsibility of the Golf Professional Staff and the Eagles Nest Staff in coordination with LMOA Police/Security.
- D. Other Common Areas (for example, lawns, beaches, playgrounds, etc.)**
 - 1. LMOA does not have a license to serve alcoholic beverages in any area other than the Eagles Nest or the Golf Course.
 - 2. No alcoholic beverages are allowed in any area other than the Clubhouse, Eagles Nest or Golf Course regardless of whether a Public Event or a Private Event is being held.

IV.VIII.ENFORCEMENT

Enforcement of these Rules and Regulations of LMOA shall be the responsibility of the General Manager through the Chief of Police/Security. Additional requirements may be imposed by Federal and/or State agencies, which may authorize their agents to enforce those requirements within the community.