
RESOLUTION PROPOSAL

DATE: September 24, 2009

SUBJECT: Amend PM 6.01 Recreation Facilities & Activities, 6.09 Clubhouse & Associated Facilities, 6.10 Facility Reservation & Use, and 8.04 Use of Clubhouse & Other Facilities to consolidate rules and eliminate duplicate policies

SPONSOR: Meg Gore, Asst. Sec. for Policy Review

BACKGROUND INFORMATION:

The proposed changes to the Policy Manual are administrative and do not affect LMOA policies.

Several places in the Policy Manual deal with rules and regulations on the use of LMOA facilities. Policies for a facility can be found in different sections of the Policy Manual which makes it difficult to have a complete understanding of the use of a facility. In one case there are conflicting rules.

The proposal reorganizes the following sections of the Policy Manual:

- 6.01 Recreation Facilities & Activities
- 6.03 Swimming Pool
- 6.09 Clubhouse & Associated Facilities
- 6.10 Facility Reservation & Use
- 8.04 Use of Clubhouse & Other Facilities

The purpose of the changes is to consolidate rules, eliminate duplicate policies and eliminate contradictory policies.

The most significant change in the proposal is to move all policy text from PM 8.04 to PM 6.01 and delete PM 8.04. Attached is a chart for PM 8.04 identifying where the text will be moved. A chart for PM 6.01 shows where the new code will be entered.

As changes are made to the Eagles Nest, additional changes to the policy will be needed but making the changes will be easier if the policies are reorganized as recommended by this proposal.

Following the charts are the proposed policies with the changes noted.

STAFF RECOMMENDATION: Concur

PROPOSED FINANCIAL IMPACT: NA

PROPOSED SOURCE OF FUNDING: NA

STRATEGIC PLAN REFERENCE: NA

POSSIBLE MOTION:

Move that the Board of Directors approve the amendments to PM 6.01 Recreation Facilities & Activities, 6.09 Clubhouse & Associated Facilities, 6.10 Facility Reservation & Use, and 8.04 Use of Clubhouse & Other Facilities to consolidate rules and eliminate duplicate policies as presented in the September 24, 2009 Board packet.

PERSON RESPONSIBLE FOR FOLLOW-UP: General Manager

CHAPTER EIGHT - Section 08.04
USE OF CLUBHOUSE AND OTHER FACILITIES

CHAPTER EIGHT - Section 08.04 USE OF CLUBHOUSE AND OTHER FACILITIES	DELETE
I. POLICY	
It is the policy of the Board to set user fees for any and all functions or activities which are held at the Clubhouse and other LMOA facilities.	DUP
If an event incurs cost for set up, clean up or damage, the event sponsor will be charged for those costs.	Move to PM 6.01 IV A. last sentence in Para 1
Sponsors or organizers of events at which food is served must ensure compliance with applicable requirements of the Virginia Department of Health (VDH).	DUP
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.	Move to PM 6.01 VII add as first sentence
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.	DUP
II. DEFINITIONS	PM 6.01 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.	PM 6.01 III.A
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.	PM 6.01 III.B
III. APPLICATION	PM 6.01 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.	PM 6.01 IV.A
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.	PM 6.01 IV.A
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.	PM 6.01 IV.A
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.	PM 6.01 IV.B
C. Fees are established by the Association and are found in the schedule of	PM 6.01 IV.C

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.	PM 6.01 IV.D
IV. FOOD SERVICE (including non-alcoholic beverages)	PM 6.01 VI. Food Service
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.	PM 6.01 VI. Food Service
A. Clubhouse	PM 6.01 VI. Food Service
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.	PM 6.01 VI. Food Service
a. The food service lessee has a permanent food service permit.	PM 6.01 VI. Food Service
b. LMOA does not have a food service permit for the Clubhouse.	PM 6.01 VI. Food Service
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.	PM 6.01 VI. Food Service
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.	PM 6.01 VI. Food Service
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.	PM 6.01 VI. Food Service
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.	PM 6.01 VI. Food Service
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.	PM 6.01 VI. Food Service
d. Business Office: LMOA employees may bring food into the Business Office at any time and all occurrences are treated as Private Events.	PM 6.01 VI. Food Service
6. 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.	PM 6.01 VI. Food Service
B. Pool and Pool Snackbar	PM 6.01 VI. Food Service

1. LMOA has a permanent food service permit to prepare and serve food at the Pool Snackbar.	PM 6.01 VI. Food Service
2. Daily patrons may purchase food or ‘brown bag’ their food.	PM 6.01 VI. Food Service
3. Event sponsors must follow the process detailed in an appropriate contract.	PM 6.01 VI. Food Service
C. Eagles Nest	PM 6.01 VI. Food Service
1. LMOA has a permanent food service permit to prepare and serve food in the Eagles Nest.	PM 6.01 VI. Food Service
2. Daily patrons may purchase food or ‘brown bag’ their food.	PM 6.01 VI. Food Service
3. Event sponsors must follow the process detailed in an appropriate contract.	PM 6.01 VI. Food Service
D. Other Common Areas (for example, lawns, beaches, playgrounds, etc.)	PM 6.01 VI. Food Service
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.	PM 6.01 VI. Food Service
2. Daily patrons may bring food to these common areas.	PM 6.01 VI. Food Service
3. Event sponsors must follow the process detailed in an appropriate contract.	PM 6.01 VI. Food Service
V. ALCOHOLIC BEVERAGE SERVICE	PM 6.01 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.	PM 6.01 VII. Alcoholic Beverage Service
A. Clubhouse	PM 6.01 VII. Alcoholic Beverage Service
1. A contract exists between LMOA and the food service lessee to provide alcoholic beverage services at the Clubhouse.	PM 6.01 VII. Alcoholic Beverage Service
a. Only the food service lessee has a license to serve alcoholic beverages.	PM 6.01 VII. Alcoholic Beverage Service
b. LMOA does not have a license to serve alcoholic beverages in the Clubhouse.	PM 6.01 VII. Alcoholic Beverage Service
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.	PM 6.01 VII. Alcoholic Beverage Service
B. Pool and Pool Snackbar	INVALID DELETED
1. LMOA does not have a license to serve alcoholic beverages in the pool area or adjacent areas.	INVALID DELETED
2. No alcoholic beverages are allowed in the pool area or adjacent areas regardless of whether a Public Event or a Private Event is being held.	INVALID DELETED
C. Eagles Nest and Golf Course	PM 6.01 VII. Alcoholic Beverage Service
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	PM 6.01 VII. Alcoholic Beverage Service

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.	PM 6.01 VII. Alcoholic Beverage Service
2. No alcoholic beverages or containers shall be brought into the parking lot area.	PM 6.01 VII. Alcoholic Beverage Service
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.	PM 6.01 VII. Alcoholic Beverage Service
D. Other Common Areas (for example, lawns, beaches, playgrounds, etc.)	PM 6.01 VII. Alcoholic Beverage Service
1. LMOA does not have a license to serve alcoholic beverages in any area other than the Eagles Nest or the Golf Course.	PM 6.01 VII. Alcoholic Beverage Service
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.	Move to PM 6.01 VII add as second sentence
VI. RESPONSIBILITIES	DUP
It is the responsibility of the General Manager to ensure proper compliance with this policy.	DUP

CHAPTER SIX - Section 6.01
RECREATION FACILITIES AND ACTIVITIES

I. POLICY	Keep
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.	Keep
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.	Keep
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.	Keep
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.	Keep
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.	Keep
II. RESPONSIBILITIES	Keep
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.	Keep
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.	Keep
	III. DEFINITIONS (PM 8.04 II)
	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 (PM 8.04 III Application))
	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.
III. RULES AND REGULATIONS	V. 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.	Keep
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.	Keep
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.	Keep
	VI. FOOD SERVICE (including non-alcoholic beverages) (PM 8.04 IV)
	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.
	64. 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 (PM 8.04 V)
	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. No alcoholic beverages are allowed in the pool area or adjacent areas regardless of whether a Public Event or a Private Event is being held.
	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.

	<p>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.</p>
	<p>D. Other Common Areas (for example, lawns, beaches, playgrounds, etc.)</p>
	<p>1. LMOA does not have a license to serve alcoholic beverages in any area other than the Eagles Nest or the Golf Course.</p>
	<p>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.</p>
IV. ENFORCEMENT	VIII. ENFORCEMENT
<p>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.</p>	<p>Keep</p>

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.

III.V. 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.

CHAPTER SIX - Section 6.03
FACILITIES RULES AND REGULATIONS: SWIMMING POOL

Adopted: March 30, 2005

I. POLICY

The following Rules and Regulations shall be in force regarding use of the LMOA swimming pool:

1. General

- a. The opening and closing dates of the swimming pool are determined by the General Manager. It is usually open from Memorial Day to Labor Day.
- b. No one shall be admitted to the pool without payment of the required fee(s). Members and guests shall sign the register; children shall be registered by the accompanying adult. In an instance where use of the pool by an authorized individual necessitates accompaniment by a professional health care attendant, such attendant shall be regarded as a guest, but no fee shall be required.
- c. Swimming in the pool is not permitted when a lifeguard is not on duty or when the pool is closed.
- d. When open, the pool shall be under the supervision of a qualified lifeguard, who shall have full authority for operating the pool and enforcing all rules.
- ~~e. Alcoholic beverages are not permitted in the pool area except as may be authorized by management and consistent with Alcoholic and Beverage Commission regulations. MOVED TO PM 6.01 VII Alcoholic Beverage Service~~
- f.e.** Pets are not permitted in the enclosed pool area at any time.
- g.f.** Only authorized personnel are permitted in the pool office.
- ~~h.g.~~ Members and guests shall comply with the announced and posted dress code. Bathing suits shall be worn by any member or guest swimming in the pool. Infants shall wear a protective cover over diapers. Cut-offs are not permitted in the pool.

2. Rules of Conduct

- a. Parents are cautioned not to permit their children to become fatigued or chilled. The lifeguard may direct any person to take a rest period if fatigue or chill is observed. As a further safety precaution, upon the signal from the lifeguard, children under 16 years of age shall leave the pool for a rest period once each hour. Normally this will be the last ten minutes of each hour.
- b. Flotation equipment such as life preservers, balls, inner tubes, water wings, air mattresses and vests are not permitted in the main pool. Swim fins are not permitted. Masks and snorkels may be used if the equipment and users have been checked out by the lifeguards.
- c. To assure maximum attention to pool safety by the lifeguards, pool users shall refrain from conversing with them or otherwise distracting the lifeguards from their duties.
- d. Parents are responsible for their children in the wading pool; adults are responsible for any child who is their guest or in their charge.

3. Swim Team Policy

In addition to any signed agreement currently in force between LMOA and the Lake Monticello Swim Team (LMST), the following regulations shall govern use of the Clubhouse swimming pool by LMST]

- a. All members of the LMST swim team shall be members in good standing, includes spouses, dependents, and Social Associate Members, of the Lake Monticello Owners' Assoc.
- b. LMST use of the pool shall not conflict with general operating hours. LMOA management determines operating hours for the pool based on the approved annual budget.
- c. For swim meets held at the Lake Monticello pool, the pool shall be closed to the general membership not more than one hour prior to meet time.
- d. An employee of LMOA shall open and close the pool for swim team practices and swim meets and shall remain on duty during the practice and/or meet. The pool shall be opened at least 15 minutes prior to the starting time for all scheduled practices.
- e. Issues respecting insurances, coach/pool manager, lifeguards, maximum number of people within the pool fence perimeter, restrictions on pool deck mobility during home swim meets, concessions.), practice times/swim lesson times, lights, support within LMOA budget and other concerns shall be negotiated between LMOA staff, LMST and the LMOA Board of Directors from time to time and as needs arise.

II. ENFORCEMENT

Primary responsibility for enforcement of these swimming pool rules and regulations shall rest with the senior lifeguard on duty. Violators may be referred to Lake Monticello Police/Security.

CHAPTER SIX - SECTION 6.09

FACILITIES RULES and REGULATIONS: CLUBHOUSE AND ASSOCIATED FACILITIES

Adopted: March 30, 2005
Amended: September 28, 2006

I. POLICY

The following Rules and Regulations shall be in force regarding use of the LMOA Clubhouse and its associated facilities:

- A. All members and guests shall comply with established dress codes, which shall be published and posted conspicuously in each facility.
- B. Members or guests shall not be permitted in the kitchen areas, service areas or behind the bars at any time.
- C. The Association shall not be responsible for lost or missing articles of members or guests. A "Lost and Found" service, however, may be provided at the administration office.
- D. No one shall be allowed in clubhouse during non-operating hours without the approval of the General Manager or a designated representative. [*Cross reference: PM 19.07: Security of Buildings, Facilities and Common Property*]
- ~~E. The serving and consumption of alcoholic beverages shall not be permitted except in conformance with the rules and regulations as established by the Alcoholic Beverage Control Commission of the Commonwealth of Virginia. INCLUDED IN PM 6.01 VII Alcoholic Beverage Service.~~
- ~~F. Use of clubhouse, dining or meeting room facilities shall be arranged in advance with the General Manager or designated representative. Groups, organizations or individuals not associated with Lake Monticello may contract for use of LMOA facilities based on availability with the approval of the General Manager and upon payment of appropriate fees. DUPLICATION SEE PM 6.01 IV Reserving Amenities and Facilities~~
- G. Any member or guest asked by LMOA management to leave a facility shall do so immediately.
- H. Children under the age of 16 using the Clubhouse facilities shall be under the supervision of an adult at all times.
- I. No pets shall be allowed in clubhouse or food service facilities. In accordance with the Americans with Disabilities Act, persons with disabilities shall be allowed to bring their service animals into all public areas of LMOA facilities.
- J. Outdoor athletic activity is not permitted on the grounds of the main clubhouse at any time without prior approval of the General Manager or a designee.
- K. Under no circumstances shall the conduct of an employee be the subject of personal reprimand by a member or his guest. Any instance of perceived misconduct on the part of an employee should be reported to a supervisor or the General Manager as soon as possible.
- L. All complaints and/or suggestions with reference to the management or operation of clubhouse shall be made in writing to the General Manager.

- M. No prepared food or beverages, including alcoholic beverages, shall be brought into any food service facility or the clubhouse without the prior approval of the General Manager or his/her designee. Under no circumstances shall alcoholic beverages be brought into any food service facility or the clubhouse.
- N. No-Smoking Policy: Smoking shall, without exception, be prohibited in all indoor LMOA facilities

II. ENFORCEMENT

- A. Enforcement of the Rules and Regulations set forth in this policy shall be the responsibility of the General Manager.
- B. Compliance with all ABC Rules and Regulations shall be strictly enforced. ABC enforcement agents have the authority to enter Lake Monticello's community, amenities, and facilities in carrying out their duties.

Cross-reference: PM 6.01 – Recreational Facilities and Activities

~~*PM 6.10 – Facility Reservation and Usage*~~

PM 19.07 – Security of Buildings, Facilities and Common Property

CHAPTER SIX – SECTION 6.10
~~FACILITY RESERVATION AND USE~~
PICNIC GROUNDS AND BALL FIELD

Adopted: March 30, 2005
Amended: February 28, 2008

I. POLICY

The following Rules and Regulations shall be in force relative to the reservation and use of LMOA facilities:

~~A. Picnic Grounds and Ball Field~~
~~1. General~~

- ~~a.A.~~ Groups (twenty five or more) desiring to use these facilities shall make reservations in advance with the General Manager.
- ~~b.B.~~ Use of these facilities shall be at the risk of the user.
- ~~c.C.~~ Sports equipment is not available and shall be provided by the participants.
- ~~d.D.~~ Pets are not permitted on any picnic ground or any ball field at any time.
- ~~e.E.~~ All litter shall be placed in the receptacles provided.