

MORNINGSIDE AT MARTIN'S RUN CLUBHOUSE RULES AND REGULATIONS



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WELCOME LETTER

Welcome to the Morningside at Martin's Run Homeowners' Association, Inc.!

Now that you have settled into your beautiful new Dwelling Unit, I'm sure you are anxious to begin enjoying the lifestyle you anticipated as a Morningside resident.

As the Lifestyle Activities Coordinator, I will be meeting with you to complete the clubhouse orientation. I will also be available to introduce you to the active, adult lifestyle at Morningside by explaining the calendar, clubs, events, and trips to you. I want to help you discover all that Morningside has to offer.

The community website, www.morning-side.com, will provide you with information on educational programs, health and wellness activities, social events, and group meetings. The reception desk at the clubhouse serves as a communication center; it is the place where you can sign up for events and access resident information.

I look forward to getting to know you and to meeting your expectations for an active, adult lifestyle. If you have any questions or concerns please stop by the clubhouse, send me an email at chokan24@gmail.com, or phone me at 440-282-2905.

Sincerely,

Debbie Chokan
Lifestyle Activities Coordinator
Morningside
Phone: 440-282-2905
Email: chokan24@gmail.com

CLUBHOUSE AND FACILITIES USE RULES AND REGULATIONS

The Morningside at Martin's Run Homeowners Association, Inc. Board of Directors is responsible for the reasonable management and maintenance of the clubhouse and recreational facilities. As a Morningside Resident, you have use of the clubhouse and recreational facilities. You must review and comply with the following use guidelines: (Resident is defined as a person who occupies Dwelling Unit) The Owner retains this right unless he/she rents out the Dwelling Unit. Owners who lease their Dwelling Unit transfer all recreational facility privileges to their tenants.

1. Clubhouse access: Fobs must be used to access the clubhouse. The clubhouse will be open to Owners and Residents from 6:00 A.M. to 11:00 P.M. Clubhouse must be vacated no later than 11:00 P.M., unless prior arrangements are made with Management.
2. Residents must complete a clubhouse orientation prior to using the clubhouse and recreational facilities. Clubhouse activity rooms and recreational facilities are open to individual use when not being used by properly scheduled activity groups. Activity groups have priority over individual use when scheduled through Management.
3. The fitness center is for Resident use only; guests are prohibited to use the fitness center. Clean rubber soled footwear are required in the Fitness Center. Residents are prohibited to wear muddy shoes, as doing so will destroy the equipment. Residents should check with your physician before using any fitness equipment or participating in any group fitness classes. All Residents must complete a mandatory orientation on the proper use of the equipment. The Activities Director prior to use of the equipment will conduct this. If you have not gone through this orientation, you must contact the Activities Coordinator prior to using the fitness center. Although the fitness center is for Residents only, anyone assisting a Resident in the fitness center, i.e. a personal trainer, must also participate in an equipment orientation and sign a liability waiver. You must use the sanitary wipes that are provided in the fitness center to wipe down equipment after each use. When others are waiting, limit use to a maximum of 20 minutes.
4. The business center is for Resident use only; guests are prohibited to use the business center. The clubhouse computers are not to be modified in any way. Software / hardware are prohibited to be added or installed on either a temporary or a permanent basis. Personal files are prohibited to be saved on the clubhouse computers.
5. The clubhouse and recreational facilities (with the exception of the fitness center and the business center) are for the exclusive use of Residents and their guests. Recreational facilities include tennis courts, bocce courts, indoor pool, outdoor pool, community gardens, gazebo, putting green, driving range, game room, and common elements in the clubhouse. Some facilities may require reservations and can be reserved at the clubhouse.
6. Residents must accompany guests at all times when using the clubhouse or any recreational facilities. Residents are responsible for their guests while using these facilities. All guests, over the age of 16 years, must wear a guest badge or wristband while using Morningside amenities. A Resident's badge is permanent and may not be lent to a guest. Guest passes must be purchased annually at a cost of \$5.00

per pass. Six guest passes will be available to each Dwelling Unit. Checks for guest passes are to be made payable to Morningside and submitted to the Management office. Lost guest passes will not be replaced.

7. Failure to comply with approved rules may result in the suspension of privileges or an enforcement assessment.
 - A. An Owner's or Resident's or both use of the Clubhouse and other Association amenities may be suspended for a period of 30 days or more for any violation of a rule that involves any threat of injury against any Association employee or agent or against any other user of the Clubhouse or that results in injury to any person or physical damage to any real or personal property as further provided for in Item B below, or for repeated violations of any rule(s) after written notice of such violation(s) from the Association as further provided for in Item C below.
 - B. If a rule violation involves any threat of injury against any Association employee or agent or against any other user of the Clubhouse or results in injury to any person or physical damage to any real or personal property, the Board may immediately suspend the Owner's or Resident's or both privileges, including deactivation of the Clubhouse fob assigned to such Homeowner/Resident. In such case, the Association will send the Owner written notice of the violation and provide a right to request and attend a hearing as further addressed in Item C below, with such suspension remaining in effect pending that Board's further decision following the hearing or the waiver of the right to a hearing.
 - C. Prior to suspending an Owner's or Resident's privileges for other repeated rule violations, the Association will notify the Owner of the violation(s) at issue by letter, which includes the date when the suspension will commence and a statement that the Owner has a right to request and attend a hearing before the Board to contest that planned suspension. To request a hearing, the Owner must mail or deliver a written request for a hearing to the Association's manager, which the Association must receive within 10 days after the date of the Association's letter. If the Owner timely requests a hearing, the Association will provide the Owner with at least 7 days written notice of the date, time, and location of the hearing. If the Owner fails to make a timely request for a hearing, the right to a hearing is waived, and the suspension may commence without further notice, including deactivation of the Clubhouse fob assigned to such Owner or Resident.
 - D. If no further violations occur during the suspension period, the Association will reactivate the Clubhouse fob and restore the other amenity privileges 30 days from the date such suspension began.
 - E. Violations that occur during or after a suspension period will be referred to the Board for further consideration and action.
 - F. Any Owner or Resident who knowingly provides Clubhouse access to an Owner or Resident whose privileges are suspended, will have his/her privileges also suspended for a period of 30 days, following the Owner's receipt of notice of such violation and right to request a hearing as provided for in Item C above.
 - G. Any Association notice or letter provided for in this Section may be sent by any authorized Board member, or by the Association's manager or legal counselor pursuant to the Board's approval.

8. Single Residents may invite one non-resident guest to all special events or bus trips they attend. Lifestyle Activities Coordinator based on the amount of reservations available will determine all other guests. Only Residents who have reservations for the special event or bus trip may bring guests. Residents are responsible for their guests.
9. Handicapped parking spaces are to be used by handicapped persons only. Vehicles must display state issued license plate, tag, or placard. Clubhouse parking may be used for overnight guests with prior authorization by management. Parking or excessive waiting under the portico in front of the clubhouse and in fire zones is prohibited.
10. All persons using the swimming pools, whirlpool spa, and related facilities do so at their own risk. Users must exercise good judgment and caution. The Morningside at Martin's Run Homeowners Association, Inc. and K. Hovnanian Oster Homes LLC are not responsible for accidents or personal injuries that may occur.
11. Guests under the age of 18 may use the indoor and outdoor pools during designated Children's Swim times, when accompanied by a Resident.
12. Management may close the pool and related facilities at any time deemed necessary to protect the general well fare or the safety of users is in jeopardy (e.g. impending thunderstorm).
13. Wet bathing suits and bare feet are prohibited in the clubhouse or fitness areas. Cover-ups must be worn in these areas at all times.
14. If you bring valuables to any Morningside recreational area, you do so at your own risk.
15. Pets are prohibited in the clubhouse or in the recreational areas, except for pets assisting a handicapped/disabled person.
16. The clubhouse and all recreational facilities are smoke-free environments. Smoking is prohibited in all community recreation areas, unless designated otherwise. Smoking is prohibited inside the clubhouse or at the front door.
17. Food and drink may only be served and consumed in the kitchen, ballroom, billiards room, patios, verandas, and atrium. Only bottle water in plastic containers may be used in the fitness center. Glass containers prohibited in the pool areas and fitness center.
18. Gambling is prohibited. Chips are available for competitive play.
19. Activity rooms such as the billiards room, ballroom, and its three great rooms are open to all individuals use when not reserved for activity groups. An activity group is a group of Owners or Residents who have reserved the use of a room through management. Weekly activity group schedules will be available at the activity desk. Scheduled activity groups will have priority use over individual use. Activity rooms will not be reserved for individual Resident's private use.
20. A telephone is located at the activity desk for local calls only. An emergency phone is located in the pool.
21. The security system is preset and will activate at a predetermined time. The Clubhouse must be vacated no later than 11:00 P.M. unless prior arrangements are made with Management/Lifestyle Activities Coordinator.
22. You must return all furniture to original place after use. Furniture is prohibited to be moved from one room to another without Management approval.

23. The kitchen is primarily for activity group and Association party use. Kitchen supplies are for activity group and Association party use. Kitchen area must be kept clean and orderly at all times.
24. The gas grill is for sanctioned club use.
25. Showers are available for use after your workout. Showers are prohibited to be used unless you are using the fitness center or recreational facility.
26. Billiards equipment is to be used by Residents and guests 18 years of age and older. Return all equipment to proper storage place. Billiards balls must be stored in the tray provided, not in the table pockets. You must brush the table clean after play. Sitting on tables is prohibited. Individuals are prohibited to monopolize the tables when others are waiting to play. You must immediately notify Management if there is equipment damage or needs.
27. Proper apparel must be worn at all times on all amenity courts. Shirts, cover-ups, and shoes must be worn at all times. Tennis & Bocce Court reservations must be made at the activity desk in the Clubhouse prior to use.
28. Residents may lease plot(s) in the Community Gardens each year. There will be garden spaces 4' X 8' available first come, first serve. The resident maintains the community gardens. Resident leasing a garden plot is responsible for all aspects of the garden such as bulbs, seeds, planting, fertilizing, weeding, watering, pruning, and fall clean up, etc.
29. An RV/Boat Parking storage lot is available for lease. Storage spaces are available on a first come, first serve basis.
30. Radios or "boom boxes" utilizing speakers are prohibited to be used at any time on the grounds of the clubhouse and/or recreational facilities except for: a) sanctioned Association parties or events and b) radios or boom boxes with personal headphones/headsets.
31. Residents are responsible for the cost of cleaning, repairing or replacing any item damaged or destroyed due to their carelessness, neglect or deliberate act. Residents are also responsible for damages caused by their guests.
32. Cell phone use must be conducted in areas so as not to disturb other residents.
33. Computers are not to be used at any time for conducting commercial activities.
34. The ballroom is not available to rent out for private parties. The facility is meant to hold events where ALL Residents are welcome/invited.
35. A Homeowner's Welcome Packet will be distributed after an overview and the Resident completes facility orientation. Call (440) 282-2905 to schedule your orientation.

NOTE: All guidelines are subject to change by the Board. Please consider the clubhouse as an extension to your Dwelling Unit, take care, and pride when using the facilities. Report any maintenance items or other concerns to the Lifestyle Activities Coordinator.

Residents must follow all safety guidelines and rules posted for Pool (s) and Spa, change in locker rooms, shower before entering pool (no lotions, oils, deodorant, etc.) wear appropriate swimwear and footwear, keep pool deck clear in case of emergencies and never swim alone.

POOL RULES

The Board of Directors has established the following rules for the safety and comfort of the Residents and their guests. The rules are also intended to assure reasonable and proper care of the swimming pools and related facilities and to minimize loss, damage or the premature wearing of equipment within budgetary allocations.

It is the responsibility of those who use the swimming pools and related facilities to know the rules and to inform their guests accordingly.

Indoor Pool Season Hours:

Pool is open daily from 9:00 A.M. to 9:00 P.M.

Children's Swim Time: Children may use the indoor pool from 10:00 A.M. to 1:00 P.M. except when scheduled activities are taking place.

Outdoor Pool Season Hours:

Pool is open daily — 9:00 A.M. - 9:00 P.M. The pool will open Memorial weekend and close Labor Day.

Children's Swim Time: Children may use the outdoor pool from 10:00 A.M. to 1:00 P.M. daily except when scheduled activities are taking place.

An adult constitutes as 18 years or over.

The Board of Directors, management, employees and all users of the swimming pools and related facilities are legally obligated to comply with pertinent Ohio Board of Health and State Sanitary Code Rules. For the most part, compliance with these rules involves using common sense and using facilities (e.g. bathrooms) in a manner that reflects courtesy towards other persons.

All persons using the swimming pools, whirlpool spa, and related facilities do so at their own risk. Users must exercise good judgment and caution. The Morningside at Martin's Run Homeowners Association Inc., and K. Hovnanian Oster Homes LLC, are not responsible for accidents or personal injuries that may occur.

Pool Closings: Management may close the pools and related facilities at any time when deemed necessary to protect the health and safety of the homeowners and guests.

Rule Enforcement: Management has complete authority to enforce all pool, pool deck and spa rules. They also have discretionary power to take necessary steps to address potentially hazardous circumstances not specifically referenced in these rules (e.g. impending thunderstorm, chemical treatment).

All persons with bladder or bowel control problems are prohibited from using the pool.

Guests: a Resident must accompany all guests at all times regardless of age, no exceptions. You are prohibited to drop off guests, or sign-in and leave guests, as they will be asked to leave the pool area. A total of (6) guest per household are permitted, including children. No private parties may be held at either the indoor or outdoor pool or spa area.

Children: No diapers of any kind are permitted in the pool or the steps of the pool. All children must be potty trained. Children are permitted swim aids and must be accompanied into the water by an adult. Please be considerate of others. Frisbees, balls, large floats are prohibited. **Running, jumping, diving, and/or "cannonballing" are prohibited.** All children must have adult supervision while utilizing the pool.

Valuables: If you bring valuables to the swimming pools or related facilities, you do so at your own risk.

Food & Drink: Food and beverages (with the exception of bottled water in plastic containers) are prohibited inside the pool gates. Food and beverages are permitted on the patio. Persons under the influence of drugs, alcohol, or any other judgement-altering substance are prohibited to enter the pool area.

Unacceptable Behavior: The following are prohibited in the indoor and outdoor pool and adjacent deck areas: diving or jumping into the pool, running, pushing, wrestling, rough play, ball playing, rollerblading, skate boarding, bicycling, yelling, or the use of foul language.

Water guns, water spraying toys, water balloons, boogie boards, large floats, and large tubes are prohibited.

Attire: Proper swim attire is required for all bathers. Cut-offs, jeans, playsuits, tennis shorts, etc. are prohibited in the pool. Wearing swim attire without a cover up, and bare feet, is prohibited in the clubhouse.

Pool Furniture: Chairs, lounges, and tables are on a first come, first serve basis and cannot be reserved. Pool furniture that is moved is to be returned to its original location, and umbrellas must be lowered and secured with a strap after use.

Indoor pool furniture must remain in the indoor pool area and outdoor pool furniture must remain in the outdoor pool area. Chairs and lounges are to be covered by a towel for hygienic purposes and to prevent damage caused by suntan lotion, oils, etc.

Lockers: Lockers are available on a first come first serve basis. Locks are to be removed when the user leaves the pool for the day. Locks that are not removed at the end of the day will be cut off.

Showers: Bathers must shower before their initial entry into the pool. After showering, you must dry off before re-entering the locker room or pool area.

Health & Safety: Any person with an obvious infectious wound is prohibited to use the pool(s) or spa. Anyone who is observed passing feces, urine, or blood into a pool or spa is prohibited to use the pool or spa. Any person who has been refused entry to or removed from a pool or spa under this paragraph because of an infectious wound may be granted entry upon presentation of a written statement from a physician that the condition is not infectious.

SPA RULES

(Per Ohio Department of Health Ohio Administrative Code)

Pregnant women, elderly persons, and persons suffering from heart disease, diabetes or high or low blood pressure should not enter the spa without prior medical consultation and permission from their doctor.

Do not use the spa while under the influence of alcohol, tranquilizers, or other drugs that cause drowsiness or that raise or lower blood pressure.

Do not use water temperatures greater than one hundred four degrees Fahrenheit. Do not use alone.

No one under the age of 18 may use the spa.

Observe reasonable time limits (that is, ten to fifteen minutes), then leave the water, and cool down before returning for another brief stay.

Long exposure may result in nausea, dizziness, or fainting.

STREET PARKING RESTRICTIONS

Violations of these Lorain City Ordinances should be reported to the local Police Department at the non-emergency phone number of (440) 204-2103.

GROUPS AND CLUBS

Activity Groups and Clubs at Morningside may be formed upon approval of the Lifestyle Director and/or Board of Directors.

Activity groups are open to all Residents in good standing.

All Activity Groups and Clubs will be self-supporting.

Lifestyle Director will be responsible for assisting and working with all Activity Group and Club coordinators.

Non-sanctioned and non-affiliated groups and clubs will not have access to Morningside, Clubhouse, common elements, or resources.

Activity Groups and Clubs must clearly identify fund raising activities and they must be ancillary to the primary cost of an event. As example, participants cannot be charged \$50 for a dinner worth \$20 – with the remaining \$30 going to a fundraising purpose.

Lifestyle Director, including but not limited to, must approve communication of Group and Club information: website postings, flyers, announcements and e-mail announcements.

CLUBHOUSE SECURITY CAMERAS

Clubhouse cameras are now operational in the clubhouse for security concerns. Much care has been taken to balance the need for security and the need for privacy. The cameras emphasis is focused on all entrances/exits, hallways and indoor and outdoor pool areas.

All recordings are password protected and are in the sole control of the Board of Directors. There will always be a Board of Directors member or his designee available when viewing the recordings.

In the event there is reason to believe that an illegal action has been alleged, there will be review and if necessary, a recording will be made, or the Police Department will be invited to investigate.

RESERVATION POLICIES

Reservations for an event with an associated fee are made by submitting payment to the Lifestyle Director. Payments must be submitted in a sealed envelope with the following information clearly printed on the front: Resident name(s), event title, name(s) of guests and total amount of payment. Exact payment must be included in envelope.

Reservation deadlines are posted in the sign-up book. Reservations must be received on or before the posted deadline.

The Lifestyle Director will issue requests for cancellations made in writing prior to the reservation deadline. Refunds will not be issued for cancellations made after the deadline or not submitted in writing.

Residents will have priority for all events. Guests are welcome to most events, based on availability of space/seating/tickets and at the discretion of the Lifestyle Director. Please notify Lifestyle Director of intent to bring guests to any event.

Reservations for an event without an associated fee are made by signing your name (one name per line) on the sign-up sheet in the event book.

RESIDENT DIRECTORY

RESIDENT DIRECTORY PHONE AND E-MAIL RELEASE

Management is requesting resident information *for internal use only*. Please also indicate below your preference regarding listing your phone number and e-mail address in the Resident Directory.

Name (Please print) _____
Address _____
Phone Number _____
E-Mail Address _____
Previous Town/City Residence _____
Date _____

I HEREBY AUTHORIZE Morningside at Martin's Run Homeowners' Association, Inc. to list my phone number and e-mail address in the Morningside Resident Directory. This directory is for resident use only.

SIGNATURE: _____

I DO NOT give permission to list my phone number or e-mail address in the Morningside Resident Directory.

SIGNATURE: _____

CLUBHOUSE LIABILITY WAIVER

I have been advised and understand that there are serious risks involved in being in an exercise program, including sudden illness or even death.

I further understand that regardless of which exercise activity I engage in, Morningside at Martin's Run Homeowners' Association, Inc. and its associated recreational facilities, parent and affiliated companies, successors, officers, directors, and employees are not liable for injuries or damages, including without limitations to those injuries or damages resulting from activity or passive negligence. The undersigned hereby expressively releases and forever discharges Morningside at Martin's Run Homeowners' Association, Inc. , its successors and assigns, as well as its owners, officers, employees and agents, from all such claims, injuries or damages.

By signing below, I certify that I have complete understanding of the addressed issues listed above.

Signature _____

Print Name _____ Date _____

Lifestyle Activities Coordinator _____ Date _____

3665 Morningside Way, Lorain, Ohio 44053 Phone 440-282-2905 Fax 440-282-2906
www.morning-side.com

KEY CARD/FOB

Dear Morningside Owner,

For your convenience, the association is providing access to the Morningside Clubhouse per fob. This fob provides Residents with access to a secure building at all times.

During your clubhouse orientation, you will be given your fob. Each Resident of the Dwelling Unit is issued a fob. These fobs are the property of Morningside at Martin's Run Homeowners Association, and privileges can be revoked and or de-activated by management. You must have title to your Dwelling Unit and be a member in good standing to be able to use the clubhouse and participate in any activities. If your Dwelling Unit is leased all clubhouse privileges shall be transferred to the tenant. Clubhouse activity rooms and recreational facilities are open to all individual use when not being used by activity groups. Officially, scheduled groups shall have priority over individual use when schedule through management. No rooms shall be reserved for individual member's private use.

If the fob is lost, stolen, or damaged, please contact the Lifestyle Activity Coordinator, Debbie Chokan at (440) 282-2905 to immediately cancel the activation. Replacement will be at your own expense. Replacement costs are \$25.00 per fob.

Thank you for your cooperation,

Lifestyle Activities Coordinator

Resident Signature