

# RULES & INFORMATION

## 1.0 INTRODUCTION

The following behavior rules apply to Members, children, and guests on Forest Highlands' property. The rules have been designed to provide a safe, supportive, and happy environment at Forest Highlands. The Association Rules contain certain standards for appropriate decorum and behavior, which are expected from all Members, residents, and their guests. **Members are responsible for the actions of their family and guests. Unbecoming conduct in relationships with other Members, Association employees or any other member of the community will not be tolerated.** In the event of any conflict between any provision of these Association Rules and any provision of the CC&R's, the Articles, Bylaws, Enforcement Policies and Procedures, or Development Standards, the provisions of these Association Rules shall be deemed to be superseded by the aforementioned.

In the best interest of the Association and at its discretion, the Forest Highlands Board of Directors may temporarily diverge from, suspend or modify an existing Forest Highlands rule or regulation in relation to a specific event or occurrence, when that change has been approved by the Board or Forest Highlands' management.

The General Rules are foundational to our Community. The Board will not tolerate any violation of these General Rules. Infractions of the General Rules will lead to immediate disciplinary action and the Board will take steps to recoup, as Special Assessments, from any guilty party all costs, expenses, damages and other obligations incurred or expended by the Association as a result of any Member(s)' (or family member(s)' or guest(s)') breach of these General Rules. The General Rules are in addition to and not in replacement of, other Rules set forth in these Association Rules. In the event behavior is covered in these General Rules and in a specific rule below, all such rules will apply independently.

The Association is obligated to provide a harassment-free environment for its employees. Failure to do so can expose the Association to extensive liability. Members' behavior can create a hostile work environment. Therefore, every Member must be mindful that her or his behavior to our employees must be respectful and appropriate at all times.

### General Rules

**Employees:** Members must treat all employees, including management staff, with respect. Members may not direct, discipline, criticize, threaten, harass, or ask personal favors of any employees or otherwise interfere with any employee's job or responsibilities. Members may not say, text, email, or post on any social media any pictures, statements, criticism or disparaging comment about any Association employee. Members may not direct management staff to provide information or produce reports; however, Members may request from the Board or the General Manager the reports mandated by law by following the process set forth by law.

**Language:** Members shall use appropriate language at all times. No foul, vulgar, threatening or demeaning language will be tolerated on the Association property or directed at any other Member or guest or any Association employee.

**Communication:** The Club encourages feedback and criticism when appropriately delivered. Any advice, complaint or suggestion regarding employee performance, Association operations, or any other

Association business must be submitted in writing and signed by the Member. It may be delivered to the Association's General Manager or to the Board President. ANY OTHER communication of any kind, including without limitation any anonymous communication, communication directed to a particular employee or Member, or broadly circulated communication that criticizes or threatens any employee or Association officer shall not be tolerated and shall be deemed a violation of these Rules. The Association recognizes that Members may discuss among themselves general observations, but any specific or direct communication that violates this Rule, or any widespread communication intended to cast any employee in a bad light will not be tolerated.

**Providing Information:** When a Member is informed of a violation of these Rules, the CC&R's or Development Standards by another Member, guest or family member, Members are required to share any relevant information upon request of the Forest Highlands administration or Board of Directors about the violation for the health and safety of the community. Failure and or refusal to do so will be considered a violation of Rule 2.1 Code of Conduct. As per Arizona law (A.R.S. 33-1803) any report of a violation made to the Association will NOT remain anonymous. The person reporting an alleged violation must state their first and last name and this information is required to be sent to the party who is accused of the violation upon written request.

**Expenses:** The Association may incur significant expenses as a result of any Member, family member, or guest violating these General Rules or any of the other Association Rules. The Association may pursue to the greatest extent allowed by law and the Association's governing documents restitution from any Members who cause the Association to incur such expenses. Without limiting the foregoing, the Association may assess against any such Member as a Special Assessment the Association's expenses in addressing a Member's violation of any Association Rule.

## **1.1 Warning and Disclaimer of Liability**

The use of the facilities at Forest Highlands (golf courses, practice areas, playgrounds, ponds, pools, streets, etc.) possesses certain inherent risks. Among those risks are potential injuries arising from falls, errant golf balls, traffic accidents, drowning/submersion, the use of maintenance equipment and the like.

By virtue of their membership, payment of their dues, and use of the aforementioned facilities, members, for themselves, their families and their guests, acknowledge the existence of these and all similar risks attendant to the use of the facilities. Members also acknowledge being warned to avoid these risks at all times. Members further acknowledge the Association, its directors, officers and employees have taken, and will continue to take every reasonable step to prevent such incidents from occurring.

Therefore, in consideration of the foregoing, and in being permitted to use the facilities, members and their families and guests agree that neither the Association nor its directors, officers, employees, or agents shall be held liable for any injury or death resulting from the use of the facilities whether due to alleged negligence or otherwise.

## **1.2 Unlawful Harassment**

Forest Highlands is committed to providing a work environment that is free from all forms of discrimination and conduct that can be considered harassing, coercive, or disruptive, including but not limited to sexual harassment. Actions, words, jokes, or comments based on an individual's sex, race, color,

national origin, age, religion, disability, or any other legally protected characteristic will not be tolerated. This policy applies without limitation to all members, guests, vendors, and employees of Forest Highlands and its affiliate organizations.

## 2.0 GENERAL

### 2.1 Code of Conduct

The following behavior rules apply to members, children and guests. The rules have been designed to provide a safe, supportive and happy environment at Forest Highlands.

Certain violations are considered flagrant and will result in disciplinary action by Forest Highlands' staff and/or the Board of Directors. Actions considered as flagrant include, but are not limited to:

- a. The use and/or discharge of a weapon (knife, firearm, etc.).
- b. Exceeding any posted speed limit on the private roads.
- c. Driving or being in actual control of a vehicle while impaired in any way.
- d. Driving a vehicle in reckless disregard, or by an underage person, endangering the safety of persons or property.
- e. Physical assault, verbal abuse, bullying, harassment or intimidation (threatening to cause physical injury or damage to the property of another) of any person including, without limitation, other members, guests or employees of the Association.
- f. Failure to stop (and provide identification upon request) when directed to do so by the Association's Security Officers or other employees or agents of the Association monitoring speeding or compliance with the Association's Rules pertaining to the use of private roads or club facilities.
- g. Failure to cooperate or comply with directions or orders, including providing identification upon request of the Association's supervisory personnel, golf professionals or rangers.
- h. Offensive language or sexual remarks, advances or touching.
- i. Making another individual the object of degrading or humiliating jokes.
- j. Damage to or theft of Forest Highlands' property.
- k. Loud playing of music or other loud noises/voices prior to 7 a.m. and after 10 p.m. that interferes with surrounding neighbors.
- l. Refusal to follow instructions of staff members.
- m. The use, possession or distribution of illegal substances on Forest Highlands' property or at off-site programs.
- n. Any action that endangers the safety, health or welfare of other individuals.
- o. Conduct which constitutes a crime under laws of the state of Arizona or the ordinances of Coconino County, Arizona, or the government of the United States.
- p. Children are permitted access to the Club facilities with the understanding they do not infringe upon another Member's use and enjoyment of the Club.

**If, at any time a person's behavior threatens the safety or welfare of other individuals, that person shall be immediately removed from the activity in which the offensive behavior occurred.**