

### **3.A. QUALIFICATIONS FOR MEMBERSHIP; ISSUANCE OF IDENTIFICATION CARDS**

**1. Proof of Membership:** Foundation Issued Cards (printed or Digital Member Cards) are required to be carried at all times.

**2. Persons Entitled to Rights and Privileges of Membership**

2.1. All natural persons who are owners of residential Plots are Members of Pelican Bay and are entitled to receive Foundation Issued Cards. If a Plot has one Owner, that Owner is entitled to one Member Card and may designate a spouse or one adult person who lives with the Owner to receive a Member Card. If a Plot has multiple Owners, each Owner is a Member and may designate a spouse or one adult person who lives with the Owner to receive a Member Card. If an Owner owns more than one Plot, that Owner is entitled to one Member Card and may only designate one additional person (spouse or adult) for each Plot to receive a Member Card and such designation may occur no more than once a year. A government issued photo ID containing the same address as the Owner is required to establish that the designee is living with the Owner.

2.2. If the Owner of a residential Plot is a legal entity (trust, partnership, corporation, or limited liability company), the legal entity can designate one person to receive a Member Card and that person can designate a spouse or adult person who lives with them to receive one additional Member Card.

2.3. Resident Managers of Neighborhood Associations are entitled to Foundation Issued Cards upon the written request of the President of their respective Neighborhood Association. A government issued photo ID containing the address in Pelican Bay where the Resident Manager resides is required. Managers may also designate one other person in accordance with 3.3. below.

2.4. An owner of a Commercial Plot is entitled to receive Member Cards as determined by the Foundation. The Owner must provide proof to the Foundation that each designee is a partner, officer, shareholder, member of corporation or employee of the Owner. The designee in accordance with Section 2.1. and 3.3. may also designate one person to have a Foundation Issued Card and others to receive Dependent Cards.

2.5. All membership rights and privileges of designees shall be coterminous with the status of the Owner. Any suspension or termination of the rights of the Owner shall result in the suspension or termination of the membership rights and privileges of the designees.

2.6. Members are required to report changes of status and return to the Foundation office their Member Card and the cards of any designees and dependents when they are no longer qualified to receive any Foundation Issued Card.

2.7. A member cannot be an employee of the Foundation or an independent contractor.

### 3. Types of Cards Issued

3.1. **Resident Member Cards:** Individuals entitled to Foundation Issued Cards under Sections 2.1 to 2.3 are issued Resident Member Cards.

3.2. **Commercial Member Cards:** Individuals entitled to Member Cards under Section 2.4 above are issued Commercial Member Cards.

3.3. **Dependent Cards:** Every individual entitled to a Foundation Issued Card under Sections 2.1 to 2.4 is entitled to designate any person not less than thirteen (13) years of age who is a dependent, as typically defined by the I.R.S., to receive a Dependent Card. Persons holding Dependent Cards are entitled to use Foundation Amenities subject to special conditions and limitations as provided by these Rules. The Member or designee designating dependents must provide proof to the Foundation that each dependent resides with such Member or designee. Dependent Cards shall be issued for a period of one year.

3.4. **Caregiver Cards:** Every individual entitled to a Foundation Issued Card under Sections 2.1 to 2.3 above is entitled to designate a full-time live-in Caregiver. Caregiver Cards are issued for a period not to exceed six months and the Board may set a fee to be charged for the issuance of such card. The card may be renewed for intervals not to exceed six months and for payment of a renewal fee set by the Board. Holders of Caregiver Cards shall have the same rights and privileges as holders of Guest Cards. In situations where child care for a person less than thirteen years of age is rendered at the Member's Pelican Bay residence on a routine or permanent basis, a Caregiver Card may be issued to such person upon approval of the Foundation President.

3.5. **Tenant Cards:** Tenant Cards will be issued to persons leasing residential property in Pelican Bay, for a fee set by the Board. Applications for Tenant Cards will be received at least thirty (30) days prior to the commencement of the tenancy and include a copy of the lease or condo association approved letter. Tenants are required to pick up their own Tenant Cards in person and produce a government issued photo ID. A Tenant Card shall be issued for the term of the tenant's lease and only to the persons named on the lease. If a tenant's landlord only owns one Pelican Bay property, that Member's rights to receive Member Cards are suspended so long as the Tenant Card is outstanding and any Foundation Issued Cards which have been issued to such Member will be suspended before any cards are issued to the tenant.

#### 3.6. **Guest Cards**

3.6.1. **Eligibility:** An individual, thirteen (13) years and older, who is a guest of a Member or a Tenant is eligible to receive a Guest Card upon payment of a fee established by the Board. Refunds will not be given for Guest Cards that are not picked up.

3.6.2. **Requirements:** Guests thirteen (13) years and older are required to carry a Guest Card when using common areas and amenities on their own. Guests without a Guest Card may use common areas and amenities as long as they are accompanied by a Member or Tenant. Up to six (6) Accompanied Guests ages 13 or older per Member or Tenant are allowed. Guests under age thirteen (13) may use common areas and amenities as long as

they are accompanied by an individual with a Foundation Issued Card. Guests cannot bring a guest to use common areas and amenities. A Guest Card is required for use of the Fitness Center regardless of an accompanying Member or Tenant.

3.6.3. **Specification/Limitation for Guest Cards:** Guests are not eligible for Digital Member Cards. The Guest Card request form must contain (i) the dates of stay, (ii) the guest's first and last name (iii) the guest's city and state of residence, and (iv) the Member's or Tenant's name requesting the Guest Card. Any person who resides either permanently or seasonally within Collier or Lee counties is not eligible for a Guest Card. All Guest Cards must be requested by a Member holding a Member Card or a Tenant holding a Tenant Card. Guest Cards can be issued for a minimum of two (2) days and a maximum of thirty (30) days. No Guest may have more than thirty (30) days within a twelve (12) month period, with the exception of relatives. Relatives may have Guest Cards issued over the thirty (30) days within a twelve (12) month period if the Member or Tenant signs the applicable statement on the Guest Pass Request Form attesting that the Guest is a relative.

3.6.4. **Violations and Penalties:** The Member or Tenant requesting a Guest Card is responsible and accountable for rules violations of Guests. Members and Tenants seeking Guest Cards, whether in person or via the internet, are required to read a statement concerning violations and penalties. The statement must be signed at the time of application. A Member who violates any Guest Card rule can be fined and their rights to use amenities and a Member's right to vote may be suspended in accordance with the Governing Documents. Violations include:

- 3.6.4.1. Acquiring a Guest Card for an ineligible person.
- 3.6.4.2. Allowing a person other than the person designated to use a Guest Card.
- 3.6.4.3. Allowing a Guest to use a Member's Foundation Issued Card.
- 3.6.4.4. Use of an expired Guest Card.
- 3.6.4.5. Allowing another person to use a Member's Foundation Issued Card.

3.7. **Real Estate Broker/Salesperson Real Estate Card:** A licensed real estate broker or salesperson actively representing an Owner or potential buyer in Pelican Bay for the purpose of selling or renting such Owner's Unit may be issued a Real Estate Broker/Salesperson Card allowing access to certain Foundation Common Areas. Cards will be issued for only one day. This card may not be transferred to any other person. Real Estate Brokers/Salespersons are not eligible for Digital Member Cards.

3.8. **Exceptions:** The Foundation President is authorized to make exceptions to the Rules contained in Sections 2.7 and 3.3 through 3.7 on a case-by-case basis.

This policy is effective June 1, 2020.

Amended and Approved: 25 June 2021