

Rules and
Regulations
of Pharr
South
Property
Owners
Association

March 19,

2024

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Property Owners of Pharr South – Rules, Regulations and Policies

PROPERTY OWNERS OF PHARR SOUTH

RULES, REGULATIONS AND POLICIES

Revised March 19, 2024

ADOPTED BY THE BOARD OF DIRECTORS

UNDER PROVISION OF ARTICLE VII, SECTION 1 OF THE BY-LAWS

COMPLIANCE

All members and tenants must comply with the Covenants, By-Laws, Rules, Regulations and Policies of Pharr South. Members or tenants who do not comply with any of these may be fined and/or prohibited from use of the Common Facilities by the action of the Board.

AGE RESTRICTIONS

The Park is a 55 year or older subdivision of the City of Pharr, Texas under an exemption in the Housing for Older Persons Act of 1995. No OWNER shall occupy or use his/her lot, R.V. or mobile home and such out-buildings as are customarily appurtenant thereto to be occupied for any purpose other than a private residence for the Owner, his/her family, guests and tenants. No property shall be occupied, rented or leased by or to any family with children under 18 years of age. Children under 18 years of age may visit for a period of not more than thirty (30) days in any one calendar year. No children under 18 years of age shall be permitted to use the common area unless accompanied by an adult.

OCCUPANCY

Not more than 2 persons are permitted per household, one of whom must be 55 years old. Visits, per individual guest, are limited to thirty (30) days in any one (1) calendar year.

MAIL

If you plan to receive mail at Pharr South, you must have a mailbox. U.S. mail must be addressed as follows:

Name of Resident
1402 South Cage Blvd., # (number of mailbox)
Pharr, TX. 78577-0000 (assigned 4 digit zip codes)
For UPS and other non U.S. mail, use Lot # and Street name.

RENTERS

It is the property owner's responsibility to make sure renters register at the Office within 5 working days of arrival. A fee of \$25.00 must be paid at this time. If the renter occupies the property without registering, a fine will be assessed to the property owner. At least one person of those residing must be 55 years of age. If they do not meet the age requirement, the office must tell them that they may not register and why (Covenants Article III 3.1). The office will immediately notify the District Director or another Director who will contact the property owner. It is the duty of the property owner to settle with the proposed renter. If the situation is not reconciled within one week, legal action may be pursued.

I.D. BADGES/AUTO STICKERS

Wear identification badges at all times when in the common area. Visitor and guest badges are required, must be worn, and are available in the office. When a visitor or guest leaves, the badge should be returned to the office.

All owners and renters must display their PS sticker on their vehicle when entering the park. Failure to do so could result in daily fines until corrected and could also impact their ability to enter the park.

LOT SHARING

A mobile home and an RV cannot share a lot except as stated for in the Covenants.

OVERNIGHT PARKING

No overnight parking is allowed on park streets and/or streets surrounding the common area by owner, renters or visitors or any private or commercial vehicles or trailers, including but not limited to: automobiles, boats, pickup trucks, boat trailers, motorcycles, travel trailers, 5th wheels, motor homes and utility trailers (commercial and non-commercial). However, for the purpose of loading or unloading, an owner's RV or trailer may be parked on the street or driveway of the residence for a period not to exceed three (3) days, only after obtaining written consent, in the form of a variance, from the Board of Directors. Any special request for parking must be approved by the Board of Directors. Temporary Variance Request Forms are available from the office or they can be printed from the Pharr South website.

All contractors' trailers and equipment or any other service trailers and equipment shall not enter the park prior to 7:00 a.m. and must be removed from the park by 7:00 p.m. Emergency repairs and utility providers to residents are excluded.

Pharr South reserves the right to restrict access to any contractor/vendor who violates the Association's Covenants, By-Laws, or Rules and Regulations. Pharr South streets are privately owned.

In addition to such penalties as are established elsewhere in the Covenants, By-Laws, and Rules Regulations of the Association, vehicles and trailers in violation of this section shall be subject to being towed at the owner's expense providing the owner has been given at least one notice regarding such violation pursuant to Texas Property Code Chapter 209 in a given twelve (12) month period.

BOAT, BOAT TRAILER OR UTILITY TRAILER PARKING

No boat, boat trailer or utility trailer may be parked or openly stored on any lot; except for the sole purpose of loading or unloading of such utility trailer, and then for a period not exceeding three (3) consecutive days only after obtaining written consent, in the form of a variance, from the Board of Directors. Temporary Variance Request Forms are available from the office or they can be printed from the Pharr South website.

Vehicles in violation are subject to being towed at owner's expense.

NUISANCE

No noxious or offensive activity shall be carried out on any lot, or the COMMON AREA, nor shall anything be done thereon which may be or may become an annoyance or nuisance to the other OWNERS or neighbors. No firearms shall be discharged, no repair work; dismantling or assembling of motor vehicles, boats, trailer or other machinery or equipment shall be permitted in any street, driveway or yard adjacent to a street, or in the COMMON AREA. Light tune-ups or “tinkering” is permitted on OWNERS driveway if not objectionable to neighbors.

HARASSMENT

- (A) No member, guest, employee or other person will be permitted to harass or unreasonably interfere with any member, guest or employee, including any member of the Board of Directors. Unreasonable interference with the operations of the Park is also prohibited. Examples of conduct that is prohibited by this rule includes, but not limited to, the following:
1. Profanity, abusive or hostile language.
 2. Physical contact or threat of physical contact or harm.
 3. Vandalism or destruction of property or threats of such action.
 4. Any course of conduct directed at a specific person that causes substantial emotional or physical distress to said person.
 5. Excessive and unjustified complaints, telephone calls, emails or other electronic communication, or other means of communication (i.e. U.S. mail service), being directed to members, Board of Directors, or employees of the Park.
 6. Posting of flyers or posters on Pharr South property without Board of Directors authorization.
 7. Using message boards for personal editorials.
 8. Unsolicited telephone calls, emails or other electronic communication, made to any member of the Board of Directors outside of normal working hours, except in the case of an emergency.
 9. Marking on other park surfaces such as, but not limited to; roads, sidewalks, shuffleboard scoreboard area, etc.
 10. Following, stalking or interfering with the free coming and going of any person, or for the purpose of annoying such person.
 11. Contacting professionals employed by the Park (with respect to Park business) directly without written authorization from the Board of Directors (i.e. Accountants, Engineers, Attorneys, etc.).
 12. Sexual harassment or intimidation.
 13. Any other actions that unreasonably or unnecessarily interfere with the operations of the Park, or with the credibility of the Park or its employees with outside

Property Owners of Pharr South – Rules, Regulations and Policies

businesses, professionals, prospective members, or governmental or administrative agencies.

14. Assisting or encouraging other persons to take actions which constitute interference or harassment.
- B. Harassment or interference with the peaceful enjoyment of the Park by other members or their guests is also prohibited.
- C. Violations of this rule may be punishable by fine, suspension of privileges, as well as all other remedies available under the Bylaws, Rules, Regulations, Policies and local, state and federal law.

PETS/ANIMALS

Pharr South is a pet friendly community and welcomes family pets.

Pets must be on a leash when not confined to your lot. No pets are allowed in the common area; that includes the public buildings and surrounding grounds. You are limited to two (2) pets per lot, and they must not be allowed to be a nuisance.

Pets that exhibit aggressive behavior will be removed from Pharr South at the discretion of the Board of Directors and/or subject to fines assessed by the Board of Directors.

Owners and/or renters must register all pets on the Owner’s and/or Renter’s Registration Form and provide proof that all vaccinations and rabies shots are up to date when registering the pet(s).

“Service Animal” means any animal trained to do work or perform tasks for the benefit of an individual with a disability.

Pets providing emotional support, well-being, comfort or companionship are not recognized as service animals under the ADA (Americans with Disabilities Act) Regulations. Misrepresenting a dog or pet as a service animal is considered a violation of the Pharr South Rules & Regulations and is subject to fines and penalties for non-compliance of the Covenants, By-Laws and Rules & Regulations.

YOU MUST ALWAYS CLEAN UP AFTER YOUR PETS/ANIMALS!!!

GARBAGE

Garbage must be placed in containers provided by the City and placed at curbside for pickup Thursday morning. Trash and brush pickup will be during the 2nd full week of each month.

Building material refuse must be disposed of by contractors or by the lot Owner in accordance with the City of Pharr Ordinance.

WORK ON VEHICLES

Extensive work on vehicles is not allowed.

CLOTHESLINES

Any clotheslines shall be of the umbrella type and shall be placed on the back of your lot.

PARK EQUIPMENT

No park equipment may be borrowed or loaned out.

SWIMMING POOL RULES

Swimming pool rules are posted and must be observed. (See addendum)

SUPERVISION OF CHILDREN

Children under the age of 18 must be accompanied and supervised by an adult. Adults are responsible for children under 18 years of age while in Pharr South and shall be accountable for their behavior and any damage done.

NAMING OF BUILDINGS

No building will be named after/for people in the park.

THE AMERICAN FLAG

The American Flag will fly 24 hours a day, 365 days a year. New flags will be purchased as needed.

UNIT PLACEMENT AND CONSTRUCTION PLANS

The Architectural Committee must approve all unit placement and construction plans for residents.

COMMON AREA SAFETY

Skateboards, bicycles, roller skates, roller blades, hover boards, or like items are not allowed in the common area or sidewalks.

SKIRTING

Skirting must be on all mobiles or additions to mobiles, including porches and/or decks, within 30 days of installation or completion of an addition.

SIGNAGE

Owners desiring to sell their property may place their house number in their window, in red numbers on white background, with sign dimension 8 ½ x 14 inches.

COMPLAINTS/CONCERNS

Residents wishing to express concerns or file a complaint, regarding violations of the Covenants, By-Laws, Rules & Regulations or Policies of Pharr South must complete a Complaint/Concern Form which is available at the office. If the District Director cannot resolve the matter, the Director will take the matter to the Board.

USE OF HALL OR COMMON AREA

Residents wishing to use the hall or common area for a function must have permission from the Activities Director. The resident granted permission shall be responsible for cleanup and reimburse the Association for any damage incurred.

CORRESPONDENCE POLICY

From time to time, correspondence may be received that is addressed to the Board of Directors of the Property Owners of Pharr South. The Board of Directors shall, at its sole discretion, determine if it is appropriate for the correspondence to be read or summarized during an open Meeting of the Board of Directors, or if it is in the best interest of the Association that the correspondence be held and/or addressed as confidential correspondence.

POPS NEWSLETTER: PROPERTY OWNERS OF PHARR SOUTH'S WEEKLY PUBLICATION

The purpose of POPS is to publish items of interest to park residents such as, but not limited to; schedule of activities, coming events, health and prayer concerns, announcements, congratulations, thank you notes, etc., and Board information. The POPS Newsletter is intended to promote Park Activities, Calendar Events, and the Park as an Adult Community of Residents 55 years old or older, and the Park as a place to live.

The POPS shall not contain any editorials, complaints, concerns, or any article or item that would be derogatory or embarrassing to any park resident. Advertisements, items for sale or services, except for Pharr South business, will not be published.

The POPS editor shall edit, screen, select and prioritize items to be published

PERSONAL USE OF OFFICE EQUIPMENT

To secure the integrity of the park computer system and data bases, personal use of office equipment is not permitted.

VARIANCE REQUEST

A Variance Request form must be completed for all requests. A Medical Variance Request form (for medical reasons) and a Temporary Variance Request form (all other reasons) are available from the front office and the Pharr South website. All variance requests must be approved by the Board of Directors prior to any action being taken by the homeowner.

BOOKS AND RECORDS REQUEST

Property Owners of Pharr South may request to inspect and/or copy, at a reasonable cost, Association documents. All requests must be in accordance with Chapter 209 of the Texas Residential Property Owner Protection Act of the Texas Property Code.

Texas Property Code Chapter 209.005 allows access to certain HOA documents under certain conditions. The written request, as described in Chapter 209.005, for a copy of the Association documents must be sent by certified mail, and must describe the specific document requested. If copies of the identified document are available to the HOA, they shall be produced pursuant to the above-referenced provision of Chapter 209, and the Property Owners of Pharr South By-Laws.

Property Owners of Pharr South – Rules, Regulations and Policies

COMMON AREA MODIFICATIONS

There shall be no changes, alterations or modifications of any kind, including but not limited to the color or material of any common area structure, of either its interior or exterior, without the consideration and approval of the Board of Directors.

PARTIES

House and block parties are encouraged and permitted, provided they are orderly and do not extend beyond 10:00 p.m.

SMOKING

Smoking is not permitted at any time in any building or on the grounds of any common area. This includes the enclosed area of the swimming pool and the lounging area by the mailboxes.

SALES

Individual or commercial garage sales, craft sales, driveway sales, auctions or any like selling may not be conducted at a residence in the Park.

PURCHASES

Any and all purchases for Pharr South supplies & equipment must comply with the Pharr South Purchasing Policy.

ACTIVITY REVENUE

The Chairperson should settle the total account of an activity ASAP after the activity is completed.

ACTIVITY REPORT

An activity report will be posted in the Media Room at the end of each month.

COMMON AREA RENTAL

No buildings in the common area will be rented to outside organizations and/or outside individuals.

ANNUAL MEETING

Free donuts will be served at all annual meetings.

POOL HALL RULES

Pool Hall rules are posted and must be observed. (See addendum)

WOOD SHOP RULES

Wood Shop rules are posted and must be observed. (See addendum)

KITCHEN RULES

Kitchen rules are posted and must be observed. (See addendum)

PROPERTY MAINTENANCE

Homeowners shall provide the Pharr South Office with the name and a phone number of their contractor for lawn, tree, palm tree, and rock spraying care. If a name and number of the provider is not on file in the office, a picture of the property violation will be taken. The Association is authorized to correct the violation and a bill for services rendered will be sent to the homeowner.

ASSESSMENTS NOT PAID

If a quarterly installment of any annual assessment or if a special assessment is not paid within ten (10) days of the due date, a late fee of 5% of the assessment, per quarter, will be added. The due dates for quarterly installments are January 1, April 1, July 1, and October 1. Also, interest at 5% of the delinquent assessment, per quarter, or any part of a quarter the assessment remains unpaid, will be added. Quarter periods are defined by the due dates above.

FINES AND PENALTIES

According to the requirements of Texas 209.0061 ASSOCIATION POLICY; FINES, effective January 1, 2024, the Pharr South Board of Directors has adopted this policy relative to fines and penalties for non-compliance of our Covenants, By-Laws and Rules & Regulations. The Board has the authority to levy a fine as per Texas 209.0061, C.

Also reference Texas 209.006 Notice Required Before Enforcement Action which requires sufficient time to resolve the violation before fines are imposed.

The Categories listed are included in our Covenants, By-Laws and Rules & Regulations documents of which a fine or penalty can be assessed, but are not limited to what’s listed.

Daily Fines Schedule

	<u>1-20 days</u>	<u>21-45 days</u>	<u>46+ days</u>
-			
Category 1	\$ 30.00	\$ 50.00	\$ 75.00
Category 2	\$ 50.00	\$ 75.00	\$ 100.00
Category 3	\$ 150.00	\$ 300.00	\$ 500.00

Category 1: Property Maintenance, Assessments not paid, Property Owners registration and payment of renters, Lot Sharing, Overnight Parking, Boat, Boat Trailer or Utility Trailer Parking, Nuisance, Garbage, Work on Vehicles, Clotheslines, Park Equipment damage, Skirting, Signage, Use of Hall or Common Area, Personal use of office equipment, Common area modifications, Parties, Smoking, Sales, Purchases of park supplies & equipment, Pool Hall rules, Kitchen rules.

Category 2: Age restrictions, Occupancy restrictions, Visitor restrictions, Harassment, Limits of pets/animals.

Category 3: Swimming Pool rules, Supervision of children under 18, Common area safety rules, Wood shop rules, Aggressive Pet/Animals

NOTIFICATION AND DISTRIBUTION OF FINES POLICY

The Property Owner’s Association will provide a copy of the policy to an owner of each property in the subdivision by:

- Posting on the Pharr South Park website. This policy is included in our Rules and Regulations document which is available on our website.
- Annually, provide a copy to each resident when they pick-up a new directory at the office. The resident will sign that they received the copy.

PRIORITY OF PAYMENTS

According to the requirements of Texas 209.0063 PRIORITY OF PAYMENTS, effective September 1, 2021, the Pharr South Board of Directors has adopted this policy relative to the order in which payment are applied to owner’s debt.

Payments will be applied to the owner’s debt in the following order:

1. any delinquent assessment;
2. any current assessment;
3. any reasonable attorney’s fees or reasonable third-party collection costs incurred by the association associated solely with assessments or any other charge that that could provide the basis for foreclosure;
4. any reasonable attorney’s fees incurred by the association that are not subject to Subdivision (3);
5. any reasonable fines assessed by the association; and
6. any other reasonable amount owed to the association

If, at the time the association receives a payment from a property owner, the owner is in default under a payment plan entered into with the association:

1. the association is not required to apply the payment in the order of priority as specified above; and
2. in applying the payment, a fine assessed by the association may not be given priority over any other amount owed to the association.

BOARD OF DIRECTOR’S RESPONSIBILITY

The Board of Directors will be cognitive of and abide by the provisions of Chapter 202 and Chapter 209, of the Texas Property Code, as now enacted and as may be amended.

In an effort to avoid any misunderstanding or miscommunication, two (2) Board members, if possible, are required to be present when meeting with a resident.

When sending written correspondence to residents, two (2) Board member signatures, if possible, are required.

This page, with signatures, is available
for review at the Pharr South Office

Michael Nolen

Governing Documents Committee Member

Connie Wussow

Governing Documents Committee Member

Ted Yoder

Governing Documents Committee Member

Lynne Johnson

Governing Documents Committee Member

By: _____

Michael Nolen, PRESIDENT

By: _____

Lynne Johnson, SECRETARY

THE STATE OF TEXAS {

COUNTY OF HIDALGO {

This instrument was acknowledged before me on the _____ day of _____, 20 _____ by

_____, President of PHARR SOUTH PROPERTY OWNERS

ASSOCIATION, A Texas Non-Profit Corporation, on behalf of said corporation.

ADDENDUM #1 – SWIMMING POOL RULES AND REGULATIONS

- Swim at your own risk!
- Pool and hot tubs are for residents and overnight registered guests only.
- You must shower before entering pool or hot tubs.
- Children must be supervised by an adult at all times.
- No children under the age of 3 are permitted in the pool or hot tubs.
- No children under the age of 12 are permitted in the hot tubs.
- No diving.
- No running or horseplay.
- No inflated toys or rafts.
- Food and drink are allowed but no glass containers.
- Absolutely no shampooing of hair in pool area.
- No lifeguard on duty.

ADDENDUM #2 – POOL HALL REGULATIONS

- Do not sit on the tables for any reason at any time.
- No food or drink allowed to be placed on any pool table.
- Pool Hall closed Tuesday mornings from 8:30 a.m. to 10:30 a.m. for cleaning.
- Cover tables when finished playing.
- Guests and residents of Pharr South must wear name badge to play.
- Persons under age of 18 must be with a Pharr South resident.
- No profanity allowed.

ADDENDUM #3 – FOOD SAFETY – KITCHEN POLICIES AND PRACTICES

Personal Hygiene

- Using the hand washing sink, food handlers must wash hands thoroughly with warm soapy water before beginning to cook or handle foods and after using the washroom. (Lather for at least 20 seconds.)
- Use disposable towels to dry hands.
- Food handlers never use food preparation sinks for hand washing.
- Use disposable gloves or utensils when handling food products.
- Food handlers must wear appropriate hair restraints.
- Do not prepare foods if you are not well or have open cuts on your hands.

Cleaning

- Clean and sanitize all food contact surfaces before preparing food and in-between tasks that contaminate cutting boards, knives and other food contact surfaces.
- Use soap and hot water to clean surfaces and bleach to sanitize them. Sanitizing solution should be one teaspoon of bleach to one quart of water.

Property Owners of Pharr South – Rules, Regulations and Policies

- Do not use sponges to clean dishes or other food contact surfaces.
- Use a sanitizing solution in the rinse.
- Thermometers are sanitized after each use.
- Toxic items will be stored away from food items.

Food Storage

- Dispose of or sell all prepared leftover foods. Do not save in the refrigerator.
- Keep dry food and paper products at least 6” off the floor.
- All food containers and packages must be labeled with contents and date.
- Store potentially hazardous foods in the refrigerator or freezer immediately.
- Place raw meat, poultry or seafood below ready-to-eat foods in the refrigerator so that juices don’t get onto the ready-to-eat food.
- Keep a working thermometer in both the refrigerator and the refrigerator.
- Check each day to make sure the refrigerator thermometer is at or below 41 degrees F. and the freezer thermometer is at 0 degrees F.
- Do not overload the refrigerator. Leave enough space for air circulation.
- All packing boxes must be removed from storage area.

Food Preparation

- Thaw food products in the refrigerator, under cold running water, in a microwave oven, or as part of the cooking process. Do not leave on the counter to thaw.
- Rapidly cool all perishable items by promptly refrigerating foods, dividing large portions into smaller portions for refrigerated storage, placing foods in an ice bath or using ice as an ingredient to begin cooling process.
- Wash fruits and vegetables in water before serving.
- Prepare foods to the chart below:

HOT FOODS

Minimum Temperature

- | | |
|--|----------------|
| • Beef, pork and fresh cracked eggs served immediately | 145 Degrees F. |
| • Ground meat, fish products, and pork | 155 Degrees F. |
| • Poultry and stuffed products | 165 Degrees F. |
| • Other hot foods | 140 Degrees F. |

COLD FOODS

All meat, dairy and other cold foods

41 Degrees F.

(Including beef, pork, eggs, vegetables one heat has been applied, raw seed sprouts, cut melons, etc.)

- Use a thermometer to check food temperature, do not guess.
- After preparing food, maintain service temperature of 140 degrees F. for hot food and 41 degrees F. for cold foods.

ADDENDUM #4 – LAUNDRY AND EXERCISE RULES AND REGULATIONS

- Operate equipment as required by the manufacturer.
- Wipe down equipment after each use (includes washing machine and exercise equipment).
- Clean out dryer lint trap.
- Use equipment at your own risk.
- Check with your physician before beginning an exercise program.
- Laundry room for residents and renters only.
- Name badges mandatory.

ADDENDUM #5 – WOODWORK SHOP RULES AND REGULATIONS

- The monitor on duty is in charge.
- Check with the monitor before using any machine.
- No shop tools loaned out.
- Park name tags must be worn.
- Clean up your own mess.
- No open flames.
- Do not talk to anyone operating a machine.
- Do not touch others work – unless asked.
- Replace what you break.
- Work at your own risk.
- Coffee is not free.
- Monitors only are allowed to change blades – sanding belts.
- Two monitors are needed to make major adjustments to machines.
- Metal can only be cut with the hacksaw in the shop.
- No painted, varnished or used wood can be run through the thickness planer, joiner and table saws.

ADDENDUM #6 – SHUFFLEBOARD RULES AND REGULATIONS

- Children under 18 must be accompanied by an adult.
- Use chalk only on scoreboards.
- Absolutely no walking on the courts.
- No riding bicycles or skateboards on the courts.
- No horse play on the courts.

ADDENDUM #7 – GRANDMA’S CLOSET RULES AND REGULATIONS

- All items taken from the closet must be signed out. Complete the form.
- Pharr South does not monitor the use, condition, or maintenance of items.
- Use at your own risk.