

# BRAMBLETON COMMUNITY ASSOCIATION

## POLICY RESOLUTION NO. 09

### USE OF COMMON AREAS: RECREATIONAL FACILITY RULES

relating to Rules and Regulations for recreational facility usage

Adopted: April 6, 2004

Revised: April 12, 2005

**\*\*\*Under Review for the 2020 Season**

WHEREAS, Article IV, Section 4.01 of the Bylaws states that "the Board of Directors shall have all of the powers and duties necessary for the administration of the affairs of the Association and may do all such acts and things as are not required by the Act or the Association Documents to be exercised and done by the members" ; and

WHEREAS, the Article I of the Association's Declaration defines Recreation Facilities as the swimming pools and associated buildings and facilities owned by the Association, but not including tennis courts, tot lots, playing fields, trails and community centers open to all Owners and their designees.

WHEREAS, for the health, safety, comfort and convenience of all Owners and residents, the Board wishes to establish rules and regulations governing the use of the Association's recreational facilities;

NOW, THEREFORE, BE IT RESOLVED THAT the following Rules and Regulations for use of the swimming pool be adopted:

#### **I. RIGHT TO USE POOL**

- A. Eligible Members shall be any Owner(s) of record who reside in a single family detached or attached Lot within the Association (or their designated tenants) or any Owner(s) of record who reside in a Multifamily Lot or condominium unit who is entitled to use of the recreational facilities in accordance with Article 6, Section 6.2(a)(3) of the Declaration for Brambleton Community Association.
  1. their spouse, partner, or significant other;
  2. two additional adults who can show proof of residency;
  3. children under the age of twenty-three (23) who are living at home, attending school on a full-time basis or serving in the military; and
  4. any children, under the age of twenty-three (23), residing in the home of a parent on a part-time basis due to custodial arrangements.
- B. Lessee of Record (renters) of a home in Brambleton Community Association, as long as the lease is a minimum term of six (6) months, and their immediate family.
- C. The Board of Directors may suspend pool privileges in accordance with Article 12, Section 12.1 of the Declaration.

- D. Eligible Members who lease their unit may transfer their rights to use of the Recreational Facilities by notifying the Association, in writing, using the form attached as Exhibit A, of the names of those tenants living in the unit who are entitled to use the recreational facilities. A non-resident Member who leases his/her unit is not entitled to use of these pool facility if this privilege has been transferred to the tenant.
- E. Guests under age 21 must be escorted by an eligible pool user with a valid facilities pass who is sixteen years of age or older. Guests will not be admitted to the pool without such escort. One guest age 21 and older may be admitted to the pool without an escort by displaying a valid pool pass and guest pass from an adult Member of the household. All guests must register with the pool manager prior to entering the pool. The conduct of guests is the responsibility of the escort or the pool user who has invited them to the pool.
- F. The Board of Directors may, from time to time, establish rules with respect to guest privileges, including the number of guests that may be admitted and fees, if any, for such guests. There will be a maximum of four guests admitted at any time per eligible user household.

## **II. FACILITIES PASSES**

- A. A facilities pass will be issued to each Eligible Member or their designated tenants and members of their families residing in the unit, age four and over.
- B. A facilities pass will not be issued to any Member or Member's designee unless all assessment fees or other charges owed to the Association are paid in full.
- C. Facilities passes are the property of the Association and are for the exclusive use of Owners and residents of the Brambleton Community Association. The passes are not transferable and may be suspended in accordance with Article 12, Section 12.1 of the Declaration for violations of the Association's legal documents or rules and regulations, as well as improper conduct with respect to the use of the pool or other community facilities.
- D. There will be a charge for any replacement facilities pass, the amount of which shall be established by a resolution of the Board of Directors.

## **III. RULES FOR USE OF THE FACILITY**

- A. The Association is represented by the managers and lifeguards, who have been instructed in the rules of the pool. Any conflicts shall be addressed with the pool manager, or assistant manager, who will bring the issue to the Association if it cannot be satisfactorily resolved.
- B. Certified lifeguards will be on duty at all times that the pool is open. They have the authority to use

their discretion to enforce the rules to maintain a safe and healthy environment. The pool manager is in charge of the pool and is there for the protection of persons using the pool. The manager has the authority to ask anyone to leave the pool area for infractions of the rules or when safety is threatened. The manager may prohibit entry to anyone for up to one week for each violation without prior authorization from the Board of Directors.

- C. Safety is of primary concern to the Association and its Members. All persons using the pool do so at their own risk and agree to abide by the rules for use of the facility. The Association assumes no responsibility for any accident or injury in connection with such use or for any loss or damage to personal property. Residents (Members and tenants) are responsible for the actions of their children and guests.
- D. No person shall use the pool facilities unless the pool is officially open and lifeguards are on duty. Unauthorized persons found inside the pool enclosure when the pool is closed will lose their privileges for the remainder of the summer and risk prosecution for trespassing.
- E. Only those persons with a valid facilities pass shall be allowed to use the swimming pool.
- F. Children under twelve (12) years of age must be accompanied by a responsible person sixteen (16) years of age or older while in the pool area.
- G. All bathers shall take a shower bath using soap and warm water and thoroughly rinsing off before entering the pool. (Parents are encouraged to instruct their children).
- H. Persons who have obvious infections (colds, lesions, open sores, etc.) will not be allowed in the pool. Sanitary habits are a responsibility of everyone and anyone displaying improper behavior will be asked to leave the pool area.
- I. Smoking is not permitted within the pool, unless an area has been specifically designated for this purpose by the Board of Directors. No smoking is permitted in the bath house facility.
- J. Food and beverages will be permitted only in areas, if any, specifically designated for this purpose by the Board of Directors. The chewing of gum is not permitted in the pool area or pool building.
- K. Breakable objects are not permitted in the pool area.
- L. Intoxicants will not be allowed in the pool area during normal hours. Intoxicated persons will not be allowed in the pool area at any time.
- M. Swimmers must wear proper bathing attire. No cut-offs, dungarees, thongs or similar attire will be permitted.
- N. Persons must stay clear of guard stands/stations at all times.
- O. Persons unable to demonstrate an ability to swim will not be permitted in the deep end of the pool.
- P. No play equipment, play pens, wheeled vehicles (except wheelchairs, strollers, etc.) are permitted in pool area.
- Q. No pets (except seeing-eye dogs) are permitted in the pool area.

- R. Subject to the discretion of the pool management personnel, instructional flotation devices may be used under the direct supervision of an adult. Tubes, rafts and balls are prohibited in the pool area. Goggles will be allowed in the pool. Only life jackets approved by the U.S. Coast Guard may be worn in the pool. At the discretion of pool management personnel, masks made of tempered safety glass may be used.
- S. Running, pushing, wrestling, dunking, standing or sitting on another's shoulders is prohibited. No screaming, profanity, or other boisterous behavior will be permitted in the pool area or pool building.
- T. Swimmers shall remain clear of the ladders except when entering or exiting the pool.
- U. All refuse must be placed in containers provided for this purpose. Keeping the facility clean is everyone's responsibility.
- V. Children of diaper age are permitted to use both pools, provided they are wearing both cloth diapers and rubber pants or swim diapers. The use of disposable diapers is not permitted in either pool.
- W. Children using the wading pool are the responsibility of the parent or escort, who must be sixteen (16) years of age or older. Only children under the age of six (6) are permitted in the wading pool.
- X. The pool may be closed at the discretion of the pool manager on duty in case of thunder, lightning, rain or operational breakdown.
- Y. The use of radios, televisions or similar devices is permitted only when used with headphones.
- Z. Private, reserved use of the pool facility shall not be permitted during normal operating hours established by the Board of Directors. Any private, reserved use shall be permitted only if authorized by the Board of Directors and in accordance with any rules and regulations promulgated by the Board.