

POOL RULES AND POLICIES

2022 | Curtis Development
Myrtle Point Master Homeowners' Association, Inc.

ARTICLE 1 – AUTHORIZED POOL USERS AND REGISTRATION.

Section 1.1 Resident Use. Use of the Myrtle Point Community Pool, which includes the pool, enclosure, restrooms and changing areas, and related facilities (referred to herein as the “Pool”) is limited to Residents of The Woods at Myrtle Point Community and their authorized Guests. The Woods at Myrtle Point Community includes the following persons: (i) Members of The Woods at Myrtle Point Homeowners' Association, Inc. (“Home Association”) who are current in their Association assessments and The Woods at Myrtle Point Master Association, Inc. (“Master Association”) assessments, and are otherwise in good standing with the Home Association and the Master Association and who are currently residing within the Home Association community, (ii) tenants with written leases living within homes subject to the Home Association and Master Association, (iii) any other persons who maintain their personal residence within a home subject to the Home Association and have been given pool rights by the Owner of the home, (iv) Members of The Woods at Myrtle Point Townhome Association, Inc. (“Townhome Association”) who are current in their Townhome Association assessments and the Master Association assessments, are otherwise in good standing with the Townhome Association and Master Association, and who are currently residing within the Townhome Association community, (ii) tenants with written leases living within the townhomes subject to the Townhome Association and Master Association, (iii) any other persons who maintain their personal residence within a townhome subject to the Townhome Association and Master Association and have been given pool rights by the Owner of the townhome.

Section 1.2 Registration/Pool Pass. To be allowed pool use, a person otherwise qualified must: (i) be a Member in good standing with dues owed to their respective Association and dues owed to the Master Association, (ii) must fill out any requested Release Form (attached hereto), and (iii) complete the online application completing the required information to obtain a pool pass including the Release by all members of the household. The pool pass will be sent to the homeowner from the online service provider. All qualified users must have a pass no matter the age to access the pool. Entry will not be granted to the pool without the required pass and completed Release Form. This pass will “expire” at the end of the season and must be renewed the following year. The cost of the pass will be paid by the Member and there is an additional fee for issuance of replacement passes for lost, destroyed or stolen passes. Guests passes may be purchased at the time of registration.

It is the responsibility of the Member to ensure the Application accurately reflects all residents living within the Member's Household. Only those persons listed on the Application will be considered authorized Pool users eligible for a pass.

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ARTICLE 2 – GUESTS.

Section 2.1 Guests. Member's may bring non-residents ("Guests") with them to use the pool only in accordance with these Rules. No more than 4 Guests per Household may use the Pool at any given time, except that during holiday weekends or other periods of high use, the number of Guests may be further limited to accommodate Resident Pool users. Resident Pool users must always accompany their Guests and shall be responsible for their Guests during their entire visit at the Pool. All persons not listed on a Release Form shall be considered a Guest regardless of whether they swim in the Pool.

Section 2.3 Guest Sign-In. All Guests will be required to present a Guest Pass and sign in on the sign-in sheet located in the pool office and if over 18 the Guest must sign a Release Form. It is the Members responsibility to ensure their guests are familiar with the pool rules and all rules and policies for pool use. Should a Guest fail to comply with all pool rules and policies the guest can be barred at the discretion of the Board, Property Manager, or Pool personnel.

ARTICLE 3 – ST. MARY'S SWIM LEAGUE & SWIM LESSONS & DAYCARE.

Section 3.1 St. Mary's Swim League. The St. Mary's Swim League will be permitted to use the Pool exclusively, under specified and agreed upon terms, on Mondays and Tuesday. The use by St. Mary's Swim League will be limited, where possible, to hours outside of the Pool Schedule for Residence Use. Resident's and their Guest will not be permitted in the pool while the St. Mary's Swim League has permitted use.

Section 3.2 Swim Lessons. A-Z Pool Management, under specified and agreed upon terms, may provide swimming lessons, at additional cost, to Residents as an added available benefit to Residents, which lessons will be structured so as not to interfere with regular pool operations.

Section 3.3. Day Care Participants. Any permitted day care that operates out of the Community Center located in the Myrtle Point Community will be allowed to have their day care attendees (who may not be Residents) use of the Pool under the direction and supervision of Licensed Day Care Staff no more than one (1) day a week and not in excess of three (3) hours, and subject to specified and agreed upon terms and rules of use regarding sign-in, waiver, supervision, etc.

ARTICLE 4 – POOL SCHEDULE. The pool will be open from Memorial Day through Labor Day ("Pool Season"). During Pool Season, hours of operation will be:

Wednesday, Thursday, Friday, Saturday, Sunday 11:00 am until 7:00 pm. There is no night swim.

Closed Monday and Tuesday except for rental use as permitted to the St. Mary's Swim League.

In accordance with the Guidelines issued by the American Red Cross, Safety breaks will be taken during the last 15 minutes of each hour (e.g., 12:45 – 1:00). All children under the age of 16 must exit the pool during this time for safety checks.

Notwithstanding the foregoing, the Pool may close early or altogether, or its use may be limited, due to numerous factors, including, but not limited to, scheduled special events, inclement weather, overcrowding, mechanical malfunction, or water contamination.

ARTICLE 5 – LIABILITY AND HOLD HARMLESS.

Section 5.1 Assumption of Risk. All persons using the pool do so at their own risk and understand that doing so involves risk of severe injury, including permanent disability and death. The Home Association, Townhome Association, Master Association, A-Z Pool Management, and their agents and employees (collectively the “Released Parties”) are not responsible for any injury or accident suffered by resident Pool users or their Guests in connection with use of the Pool, or for any loss or damage to personal property resulting therefrom.

Section 5.2 Hold Harmless. Resident Pool users and their Guests agree to hold harmless the Released Parties from injury to person or property suffered or incurred by Pool users and their Guests related to or arising from their use of the Pool.

Section 5.3 Indemnification. Pool users and their Guests agree to indemnify the Released Parties from all damages the Released Parties may suffer or become liable for related to or arising from use of the Pool by the Pool users and their Guests.

Section 5.4 Minors and Guests. Pool users agree to be solely responsible for their own safety and well-being and that of their minor children, wards, and Guests.

ARTICLE 6 – GENERAL RULES.

Section 6.1 General Rules. All persons using the Pool shall obey the directions and commands of the Pool Operator on Duty and lifeguards, who have primary authority for the conduct and operation of the Pool during scheduled operating hours.

- ❖ All Guests must be accompanied by a resident Pool user aged 16 or above.
- ❖ Pool Members aged 13 and above may come to the pool unaccompanied by an adult but may not bring Guests.
- ❖ Parents or guardians are fully responsible for all persons under the age of 13 using the pool facilities.
- ❖ Use of the kiddie pool is restricted to children aged 3 and under.
- ❖ Parents are required to always accompany their children in the kiddie pool area.
- ❖ Children not yet toilet-trained must either wear swim diapers or cloth diapers with snugly fitting rubber or plastic pants. Regular, disposable diapers are prohibited.
- ❖ Parents must report any “accidents” to lifeguard immediately.

- ❖ Children unable to swim independently and/or requiring the use of a flotation device MUST be within one arm's reach of a parent, guardian, or caretaker anytime they are in water deeper than their chest when standing. ONLY United States Coast Guard approved life vests are allowed as flotation devices.
- ❖ Swim aids will be allowed at the discretion of the Lifeguard or Pool Operator on Duty.
- ❖ All other pool toys, flotation devices, etc., are at the discretion of the Pool Operator on Duty, unless specifically prohibited below. In general, flotation devices for leisure, such as rafts and tubes, are not allowed as they restrict the lifeguards' visibility of pool occupants. Pool noodles brought by residents may be used so long as they are being used for their intended purpose and their use does not create a hazard or disrupt the enjoyment of the pool for others. Waterguns and similar devices, or other types of pool and water play items, are also allowed, so long as their use does not create a hazard or disrupt the enjoyment of the pool for others. Items not intended for pool use (such as footballs not meant for water play) are prohibited in the pool area. Footballs designed for water play are allowed, so long as their use does not create a hazard or disrupt the enjoyment of the pool for others. When in doubt, check with the Pool Operator.
- ❖ All conduct that endangers the safety and/or unreasonably disrupts the enjoyment of others is prohibited, including but not limited to fighting, rough horseplay, running, performing unsafe entries into the pool (such as flips), shouting, loud music, and use of profanity.
- ❖ No person showing evidence of a communicable disease will be allowed to use the Pool.
- ❖ Persons reasonably suspected of being under the influence of drugs or alcohol may be denied admittance into the Pool area, or may be ejected, and are prohibited from swimming.
- ❖ No animals will be allowed in the Pool, pool enclosure, or related facilities.
- ❖ No glass containers of any kind are allowed in the Pool, pool enclosure, or related facilities.
- ❖ No alcoholic beverages of any type are permitted in the Pool area or in the surrounding area.
- ❖ No smoking, vaping, using chewing tobacco, or the consumption of any controlled or dangerous substances is allowed in the Pool or the surrounding area.
- ❖ No grilling is permitted on Pool or Community Center property without express written permission from the Board of Directors. Food may be consumed in the pool area, providing that unused food and trash must be disposed of in proper receptacles.
- ❖ No organized, formal swimming lessons are permitted, except as orchestrated by A-Z Pool Management, with prior approval from the Master Association. Swimming Lessons will be structured so as not to interfere with regular pool operations. However, this does not prohibit friends or family members from providing instruction on an informal basis.

These general rules are subject to change. Additionally, the Pool Operator on Duty and

lifeguards may post additional rules within the Pool, which shall have the same effect as if set forth herein.

ARTICLE 7 – ENFORCEMENT.

Section 7.1 Violations. Violations of these Rules and Policies may result in the temporary or permanent suspension of pool use privileges. All persons are expected to comply with instructions and any warnings issued by the lifeguards, pool management staff. Lifeguards, and pool management have the authority to remove offenders from the pool area for repeated or egregious violations. All concerns should be brought to the lifeguards and/or pool manager on duty. The following enforcement policy will be implemented by the lifeguard/pool management staff and in their discretion:

- ❖ First rule infraction – Verbal warning
- ❖ Second rule infraction – Offender is suspended from pool use for the remainder of the day. If the offender is a minor, their parents are notified.
- ❖ Third rule infraction – Removal from the pool area, suspension of pool privileges for one week. If the offender is a minor, their parents are notified.
- ❖ Fourth rule infraction – Removal from the pool area, suspension of pool privileges for one month. If the offender is a minor, their parents are notified.
- ❖ Any egregious violation may result in immediate suspension of privileges for the rest of the day and be reported to HOA officers for evaluation of further action.

The Board of Directors of the Master Association may establish additional rules regarding the enforcement of these Rules and Policies and may conduct an evaluation of infractions at any time for different enforcement actions than those stipulated above.

Questions regarding these Rules and Policies should be directed to CBay Management.

Safety concerns should be brought to the immediate attention of the lifeguard on duty!

We hope you enjoy the pool season!

Unanimously approved board of directors April 26, 2022.


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