

BROOKE MANOR HOMEOWNERS ASSOCIATION POOL RULES AND REGULATIONS

INTRODUCTION

For the health, safety and welfare of our residents and guests using the BROOKE MANOR swimming pool facilities, the Board of Directors of the BROOKE MANOR Homeowners Association (“HOA”), with the assistance of the Pool Committee, has established the following rules and regulations which will be used to operate the pool facilities. The Pool Committee of the BROOKE MANOR HOA is a volunteer group of residents established to oversee the pool facilities and recreation area in which you, the homeowner, have invested. The Committee is only as good as the cooperation and input that it receives from each homeowner. The responsibility for safekeeping of the pool facilities and recreation area and its users lies with each homeowner. The pool manager and lifeguards are authorized to enforce the rules and regulations in the pool facility and recreation area, but please also use your good judgment and common courtesy in applying the following rules.

All members of the BROOKE MANOR HOA, their families and their guests who use the pool facility and recreation area shall do so at their own risk and sole responsibility, and will be held responsible for all actions of themselves, their children and their guests. The BROOKE MANOR HOA assumes no responsibility whatsoever for any accident or injury in connection with the use of the pool facility and recreation area and will not be responsible for loss or damage of personal property of any kind. Persons using the pool facility and recreation area agree to waive any and all claims and causes of action against the BROOKE MANOR HOA and further agree not to hold the HOA liable for any acts, injuries or damages which may relate to the use of the pool facility and recreation area. However, the Association has hired a professional pool management company to operate the pool facility and provide the necessary number of certified and experienced lifeguards to be present at the pool facility during operational hours to provide a safe environment within which members, their children and their guests may enjoy the use of the pool. All members, on behalf of themselves and their families, and all guests will be required to certify that they have read and will abide by the Association’s swimming pool policies, rules and regulations prior to their initial use of the pool facility.

The HOA Board of Directors reserves the right to suspend a homeowner’s pool privileges for any violation of these regulations or any delinquent assessment.

Any person may be restricted from the use of the pool facilities or surrounding areas for any violation of these regulations or for any other reason considered by the pool manager or Board of Directors to constitute a hazard to others or to the facilities.

Any unauthorized use of the pool facilities and/or surrounding areas by any person(s) will be prosecuted to the fullest extent of the law.

POOL PASSES

POOL PASSES ARE MANDATORY AND ARE NOT TRANSFERRABLE.

A pool pass will be issued for each for each adult and child residing in BROOKE MANOR HOA upon completion of an application sent to the property Management Company. Pool passes will also be issued for live-in and full-time childcare providers. Guest passes will be made available to residents as described below. A valid pool pass is required for admittance of each resident or guest. **POOL PASSES ARE REQUIRED TO BE VISIBLE AT ALL TIMES.**

Any member cited for a violation of these pool rules, regulations and policies or delinquency in any fees owed to the Association, may be denied access to and use of the pool facility, as well as have their pool passes confiscated and/or invalidated. Confiscated or invalidated passes will be returned and reactivated by the management company only after all fees have been paid.

Pool passes are required to be visible while members are in the pool area.

Lost pool passes will be replaced at a charge of \$3.00 per pass. To obtain a permanent replacement pass, send all requests and checks payable to the BROOKE MANOR Homeowners Association for applicable fees to the property Management Company. **PERMANENT PASSES WILL ONLY BE REPLACED BY MAIL!**

AUTHORITY OF LIFEGUARDS

Certified lifeguards and a pool manager employed by a professional pool management company will be on duty during all hours of operation of the pool. The lifeguards and pool manager have the authority to use their discretion in the enforcement of all pool rules and regulations in order to provide and maintain a safe and healthy environment. The pool manager is in charge of the pool and is responsible for ensuring that all regulations and rules are obeyed. The pool manager has the authority to dismiss from the pool any adult or child for any infraction of the pool rules, regulations or policies or when safety is threatened. The pool manager can also bar any person from the pool for up to one week for each violation or for the remainder of the season for either three violations or any one or more serious violations.

GUESTS

Guests must be accompanied by a pool member 16 years of age or older. Guests must follow all pool rules and policies of the BROOKE MANOR HOA. Host members are responsible for the actions of their guests.

Each household will be issued one guest pass that is good for a total of 10 guest visits during the pool season. Children 2 years old and under may swim without a guest pass. Additional guest passes may be obtained from the pool manager for \$30.00 each (ten visits). **FEES WILL BE PAYABLE BY CHECK ONLY!** Each household may only bring a maximum of 4 guest's total per visit.

Parents or legal guardians may bring to the pool all of their children using their resident pool passes and no more than two additional children under the age of eleven on guest passes.

CHILDREN'S PRIVILEGES

Children eleven (11) years of age and under must be accompanied by an adult when visiting the pool. For the purposes of these regulations, an adult is someone 16 years of age or older.

Individuals between the ages of 12 and 15 inclusive will be admitted to the pool alone only when both of the following conditions are met: (1) a parent or legal guardian agrees in writing to allow the child to come unaccompanied and (2) the child has adequately demonstrated to the lifeguards that he or she is able to swim the length of the pool in good form. When the pool opens for the season, the lifeguards will administer a swim test and review the pool rules for the children who will be using the pool without parental supervision. The pool passes for these children will show that they have successfully passed the swim test.

The parents or legal guardians of any child who is using the pool facility or dismissed from the pool facility shall remain solely responsible for the supervision, care and well being of their child. The BROOKE MANOR Homeowners Association does not assume any responsibility for the personal care or supervision of any children or adults in or around the pool facility or anywhere else in the BROOKE MANOR HOA subdivision.

Children using the wading pool remain the sole responsibility of the parents/legal guardians, not the lifeguards, and **MUST BE ACCOMPANIED BY AN ADULT AT ALL TIMES**. Children over 5 years of age are not permitted in the wading pool.

Children 5 years old or younger are not allowed in the main pool without an adult in attendance, within arm's length, unless the child meets basic swimming requirements to be in the pool area unattended. The requirements shall be determined by the pool manager or lifeguard.

PERSONAL HYGIENE AND ATTIRE

Before entering the pool, all persons must take a shower in the bathhouse. Any persons having apparent skin disease, sore or inflamed eyes, cough, cold, nasal or ear discharge, wearing band-aids or bandages, or having any contagious diseases shall be excluded from the pool.

Spitting, spouting water, blowing the nose and similar unhygienic actions are prohibited in the pool.

Chewing gum is prohibited.

Swimmers must wear appropriate bathing attire. No cut-offs, dungarees, thongs, or other inappropriate attire as determined by the pool manager will be allowed.

Footwear other than rubber, plastic or leather is not permitted on the pool deck. NO DRESS SHOES.

Children who are not toilet trained must wear a swimsuit and rubber pants over a cloth diaper. This will be checked upon entrance to the pool. NO DISPOSABLE DIAPERS.

GAMES, TOYS, FLOTATION DEVICES

Water wings or approved U.S. Coast Guard life-saving vests or jackets may only be used by children when accompanied by an adult who remains attentive to and within an arm's reach of the child at all times. All flotation devices are subject to approval by the lifeguard on duty, and situations may arise in which flotation devices will not be allowed, at the discretion of the lifeguard.

Rafts, inner tubes, flotation chairs, etc. are prohibited due to their size. Squirt guns are prohibited.

Swimming games, balls and other toys will be permitted at the sole discretion of the lifeguard on duty.

LAP LANES

Designated lap lanes will be used for lap swimming only at the discretion of the pool manager or lifeguard on duty.

The use of kickboards is restricted to the lap lanes unless otherwise approved by the pool manager or lifeguard on duty.

ADULT SWIM/REST PERIODS

Rest periods will be announced each hour by the pool staff. During this period, all individuals under the age of 16 must be completely out of the main pool. Children 5 years of age and under may remain in the water during the rest period only if accompanied by a parent who is in the water with and attentive to the child. The rest period will be the last 15 minutes of each hour. There will be no rest period during the last hour of operation each day.

GENERAL RULES

The pool facilities may be closed, at the sole discretion of the pool manager, and in accordance with Montgomery County ordinances, due to thunder, lightning, rain, air temperature under sixty-five degrees Fahrenheit or due to operational breakdown or other unhealthy conditions.

The HOA does not provide personal property lockers and is not responsible for lost or stolen valuables.

Unauthorized persons found inside the pool enclosure while the pool is closed will lose their privileges for the remainder of the season and risk prosecution for trespassing.

Only authorized personnel are permitted in the pool office and filter equipment rooms, on the guard stands or behind the check-in window/desk at the entranceway to the pool facility.

No pets of any kind, other than Seeing Eye or handicap assistance dogs, will be allowed in the pool area.

Non-swimmers must remain in the shallow end of the pool, the water not to exceed their mid-chest.

Only cassette players, radios, etc., with earphones may be used at the pool facility.

Gates to the pool area and wading area must be closed after use.

Food is to be consumed only in designated areas. Waste from the consumption of food or beverages must be deposited in the containers provided.

Cigarette smoking is only allowed outside of the immediate pool area. Smokers are asked to show consideration for non-smokers. Cigarettes must be extinguished and disposed of properly in the containers provided.

Baby carriages and strollers will be permitted in the wading pool deck area and grassy areas.

Bicycles are not allowed into the enclosed pool area.

The pool perimeter must remain clear of obstacles (chairs, strollers, etc.) AT ALL TIMES.

For the safety and enjoyment of all the residents, the following behaviors may be grounds for expulsion/suspension of pool privileges: running or diving; pushing or fighting; yelling, abusive or profane language; any conduct jeopardizing the health or safety of anyone using the pool facilities.

In addition, the following are PROHIBITED:

- A. Alcoholic beverages, chewing gum and chewing tobacco.
- B. Persons under the influence of alcohol or drugs.
- C. Spitting or blowing the nose in the pool.
- D. Glass, ceramic or pottery containers or sharp metal objects in the pool area.
- E. Cut-offs or street clothing of any kind in the water.
- F. Leaving any trash in the pool area.
- G. Wheeled vehicles or objects (except baby carriages, strollers, wheel chairs or other assistance vehicles for handicapped persons).
- H. Playing, swinging or sitting on ladders or steps.
- I. Sitting, hanging or diving over float lines.

J. Private pool parties (birthday parties, team parties, etc.)

Persons causing undue disturbances will be asked to leave the pool area.

These pool rules are subject to change, at any time, at the discretion of the HOA Board of Directors. Any questions, complaints or suggestions regarding these rules and regulations for the swimming pool operations should be directed to the HOA Board of Directors c/o the property management company and not to the pool management staff.