

**NEWINGTON COMMUNITY ASSOCIATION
2009 POOL RULES**

These rules for the 2009 pool season have been established by the Newington Community Association Board of Directors, hereafter referred to as NCA, for the safety, protection, and well-being of all members of the community, and their bona fide guests, while using the pool facilities. NCA residents have a responsibility to become familiar with and abide by these rules.

NCA BY-LAWS, ARTICLE IV - PROPERTY RIGHTS: RIGHTS OF ENJOYMENT, Section 1. Each member shall be entitled to the use and enjoyment of the Common Area and facilities as provided in the Declaration. Any member may delegate his rights of enjoyment of the Common Area and facilities to the members of his family, his tenants or contract purchasers, who reside on the property. Such member shall notify the secretary in writing of the name of any such delegee. The rights and privileges of such delegee are subject to suspension to the same extent as those of the member.

DEFINITIONS

- A. NCA members who are eligible to receive pool passes are defined as either:
1. A person who holds legal title to private property within NCA and all other full-time, permanent residents of that household, provided the respective pool privilege to that property has not been relinquished as defined below; or
 2. A person who rents/leases property within NCA and all other full-time, permanent residents of that household provided the owner of that property has delegated his or her pool privileges to the renter/lessee. (As referenced in NCA By-Laws, Article IV.) To qualify under this designation, NCA must be so notified in writing by the property owner.
- Baby-sitters (other than full-time, live-in help) and non-resident relatives are not eligible to receive an NCA pool pass. These persons may use guest credits to use the pool, if authorized by an NCA adult member.
- B. Adult member = 18 years of age and up.
Teen member = 13 - 17 years of age.
Child member = 3 - 12 years of age.
Infant member = under the age of 3, no pool pass required.
- C. Responsible person - any individual other than a parent/guardian who has been designated in writing by the parent/guardian to accompany into the pool a child who does not qualify for admission on his or her own merits. The responsible person must:
1. Be an NCA member.
 2. Be at least 13 years of age.
 3. Have passed the swim test if under the age of 16.
 4. Be so designated in a letter to the Pool Manager.
- D. Daily guest - a person sponsored by an NCA adult or teen member for admission to the swimming pool and who is the responsibility of the NCA member.
- E. Pool facility - the bathhouse, pool, concrete deck, and grass enclosure, inclusive.

- F. Injury - any wound that requires first aid.
- G. Pool Manager - that person designated by the contractor and approved by NCA to supervise the operation of the pool during the 2009 season.
- H. Annual Guest pass - A pass issued to a household with only an eligible NCA sole adult member residing in it.
- I. Daily Guest Credit - A credit for either a single or multiple daily admissions to the swimming pool. Only NCA ADULT members may purchase guest credits. Guest credits can be purchased only with NCA member's check or money order, NO CASH. A single admission guest credit costs \$3.00, and may be purchased from the pool staff at time of entrance. Multiple entry guest credits may be purchased from the Community Manager at a cost of \$18.00 for 7 entries or \$30.00 for 15 entries. Multiple entry credits not used during the current swimming season may carry over until completely used. All Guest credits shall be reconciled by closing time, each day. The daily log will balance. All daily guest credits will be maintained by the Pool Manager.
- J. Party – a group of 10 or more residents and/or guests. Parties will follow the rules as defined in the Parties and Private Pool Parties section.

ADMISSION

- A. NCA owners or tenants who owe money to NCA will not be issued pool passes or credits. Owners or tenants who fail to maintain a paid up status during the pool season will have their pool privileges revoked.
- B. Registration for, and pick up of, pool passes & credits will be through the NCA community office, NOT the lifeguards. All NCA members must comply with the registration procedures published in the NCA Newsletter. Entry to the pool will be denied without valid 2009 pool passes issued by the community office. Only adult NCA members may pick up validated pool passes. Valid identification is required.
- C. All members and guests must sign in at the front desk prior to entering the pool enclosure. All children must be signed in, including infants, to maintain an accurate record of pool usage. The log book shall be reviewed for each entry at the time of entry, by the management.
- D. All NCA members must give their pool passes to the pool staff member on duty in the office and wait until admittance is authorized. Only the pool staff will return pool passes.
- E. A parent, guardian, or responsible person must accompany all children 12 years of age and younger.
- F. All patrons under the age of 16 who have not passed their swim test must be accompanied by a parent, guardian, or responsible person.
- G. Only NCA adult members and teen members may sponsor guests.
- H. Teen members may not sponsor more than two guests at any given time.

- I. NCA adult members may provide a letter to the Pool Manager authorizing adult houseguests use of the pool without their presence. Guest credits must be used. An adult NCA resident must leave a signed note with the pool manager, listing the name(s) and specific date(s) of their ADULT guest(s) who will be using the pool. The adult guest will have to use a guest credit and abide by the pool rules. The same process will be required if there is a child or children with the adult guest(s). The names(s) must be listed on the note, guest credits will be required for each, and they will have to abide by the pool rules.

AUTHORITY AND RESPONSIBILITY

- A. The Pool Manager has full authority and responsibility for the operation of the pool facility and is directly responsible to the NCA Board of Directors, Community Manager and Pool Committee Liaison. The Pool Manager's responsibilities include, but are not limited to:
 1. Maintenance of order.
 2. Cleanliness of the pool facility.
 3. Supervision of the operating staff.
 4. Enforcement of pool rules.
 5. Gate control including admission of members and registration of guests.
 6. The scheduling and supervision of after-hour events.
 7. Suspending operation of the pool because of unsafe or unsanitary conditions.
 8. Refusing admission to any individual whom the Pool Manager deems to be intoxicated, who does not have a valid 2009 pass or who otherwise may be a liability to the safety of him or herself or others. If such a person, after being refused admission, enters the pool or pool enclosure, the Pool Manager shall notify the police.
- B. Members must submit all complaints in writing, using the NCA form that is available at the pool office.
- C. NCA members are responsible for their behavior and that of their guests. This responsibility includes, but is not limited to:
 1. Complying with these pool rules.
 2. Cooperating and complying with the instructions issued by the Pool Manager and his or her representatives (lifeguards).
 3. Notifying the Pool Manager of safety or health hazards that require correction. If prompt corrective action is not effective, the NCA Community Manager should be informed.
 4. Registering and supervising guests while they are in the pool facility.
- D. Pool privileges may be suspended for NCA members and/or guests if they fail to follow pool rules. The Pool Manager or Community Manager may suspend an individual for the remainder of the swimming day or up to 72 hours for rule infractions. The Pool Manager must notify the Community Manager - within 24 hours of all suspensions of more than one day. The NCA Community Manager will notify the responsible parent or NCA member and Board Pool Liaison of any suspensions of a child (under age 18) of more than one day

The Pool Manager may recommend to the Community Manager any suspension that should exceed 72 hours. The Community Manager will call the property owner and notify the Board of Directors of any infractions that warrant consideration of a suspension beyond 72 hours. The Board of Directors will act promptly (within 7 days of incident) on all recommended suspensions, including revocation of pool privileges for the season. Revocation of pool

privileges can extend into the next pool season for infractions that occur in the last 14 days of the current pool season. Appeals of suspensions can be made to the Board (See "Appeals and Suggestions" below).

- E. Lifeguards have authority to open and close diving boards. When boards are open the diving board rules are to be followed.

GENERAL INFORMATION

- A. The pool facilities are to be used only during normal operating hours. Swimming is prohibited except when the Pool Manager has posted lifeguards.
- B. The last 15 minutes of each hour shall be designated as a rest period. Only persons 16 years of age and older may swim during such periods. All others must sit or lie down away from the edge of the pool with their feet out of the water. Anyone who does not abide by the rest period may, at the discretion of the lifeguard, be required to complete one 15-minute rest period prior to entry into the pool.
- C. A lap lane will be provided at all times. The lap lane is to be used for lap swimming only.
- D. NCA members and their guests must not block the entrance to the pool office and are not permitted in the area behind the check-in desk. The pool office is only for the Pool Manager, lifeguards, and any other individuals authorized by the NCA Board of Directors.
- E. The playing of personal radios and/or portable stereo systems is permitted only when used with earphones, except lifeguards may use a radio in the pool office to listen for weather advisories.
- F. All members and guests are required to respect the property rights of residents who live in the immediate vicinity of the swimming pool.
- G. Any use of the pool ground for an event not described in these rules is prohibited unless written consent is provided by the NCA Board.
- H. Pets are not permitted in the pool facility, nor should pets be left unattended in the vicinity of the pool.
- I. Profanity in the pool facility is not allowed.
- J. The pool may be closed by the Pool Manager (or staff in the Manager's absence) and the pool and deck cleared if in their opinion a hazardous condition exists such as thunder, lightning, or strong winds. Generally, these areas will remain closed for 30 minutes after the last sound of thunder or sight of lightning. Also, swimming will be halted during heavy rains when lifeguards are unable to clearly see the bottom of the pools.

SWIM TESTS

- A. Swim tests will be administered by a member of the pool staff during the rest period.
- B. Teen members, 13 years and older, may be admitted to the pool unaccompanied if they can pass the following test:
 - 1. Enter the deep end of the pool feet first.
 - 2. Swim one length of the pool without stopping or touching the wall.
 - 3. Jump off the diving board feet first.
 - 4. Recover to stomach floating position.
 - 5. Tread water continuously for 1 minute.
 - 6. Swim an uninterrupted lap across the diving bay.
- C. Children 12 years of age and younger must pass the swim test and have their pool pass stamped to enter the deep end of the pool.

WADING POOL

ONLY children 5 years or under are permitted in the wading pool. WATERPROOF PANTS MUST BE WORN OVER ALL DIAPERS. Children must be under constant supervision by their respective parent, guardian, or responsible person in this area. Small flotation devices are allowed.

HYGIENE

- A. Individuals having inflamed eyes, open sores, or infections will not be permitted into the pool.
- B. All persons attired to swim must take a cleansing shower prior to exiting the shower room onto the pool deck and after using the toilet.
- C. Spouting of water or similar non-hygienic actions is prohibited.
- D. Refuse shall be placed in containers provided.
- E. Baby diapers shall be changed only in the rest room.
- F. Children in diapers must wear snug fitting waterproof pants over the diapers and a bathing suit if they use the big pool.
- G. No food, ice cream, or chewing gum is allowed on the concrete deck or in the pool. Eating is restricted to the grass area. Drinks in non-glass containers may be consumed on the concrete deck.
- H. Swimwear must be worn to enter either the wading or main pool. Street clothes will not be allowed.

SAFETY

- A. Everyone must stand clear of the guard stands and neither converse nor otherwise distract the lifeguards when on duty.
- B. No glass containers are permitted within the pool facility.
- C. Smoking is allowed in designated area only.
- D. No alcoholic beverages or any type of illegal drugs will be permitted in the confines of the pool facility.
- E. The only wheeled vehicles permitted within the pool facility are strollers, carriages, and wheelchairs for the handicapped. All vehicles must have parking brakes in working order. These vehicles must have brakes set when parked. Bikes, skateboards, in-line skates, etc., are not permitted within the pool facility.
- F. During non-peak hours and at the discretion of the Pool Manager, beach balls, air mattresses, inner tubes, and similar devices may be permitted in the pool.
- G. Jumping on top of or dunking other swimmers is prohibited.
- H. Any running, pushing, rough play, towel snapping, and dangerous action will not be permitted.
- I. Diving Board Rules:
 - 1. Only forward or front dives off the board are permitted.
 - 2. Running on the board is prohibited.
 - 3. Only one jump, spring, or bounce is allowed per dive.
 - 4. Divers must wait for the diving bay to be cleared prior to starting their dive.
 - 5. Only one person at a time is allowed on the diving board, including the ladder thereto.
- J. Leather sole shoes are not permitted on the concrete deck.

TRESPASSING AND VANDALISM

The use of the pool grounds for an event not described in the rules is prohibited unless written consent is provided by the NCA Board.

The NCA Board has the right to suspend the pool privileges or take other actions against anyone involved in vandalism or trespassing at the pool facility, or at any other NCA common ground facility.

APPEALS AND SUGGESTIONS

If a member believes that he/she was unjustly penalized for an infraction of the rules, he/she can immediately appeal through writing to the Community Manager or to the NCA Board. An appeal hearing between the NCA Board and parties involved will be held if necessary.

Suggestions on pool operations should be made in writing to the Community Manager, forms are in the pool office.

PARTIES AND PRIVATE POOL PARTIES

Parties during regular pool hours must be approved by the NCA Board 7 days in advance of the party. The sponsor shall remain in attendance at all times. One Adult for every four (4) children 12 years of age and under, must remain present at all times.

Private pool parties, which are held after regular pool hours, must be scheduled with the Pool Manager subject to approval of the Community Manager and Pool Board Liaison at least 7 calendar days prior to the requested date of the party. One adult for every four (4) children 12 years of age and under, must remain present at all times. The Pool Manager upon application or request will provide rules and cost for the private parties.

1. A check for \$75 made out to Newington Community Association for the security deposit. The security deposit will be returned the first business day following the pool party, provided the pool facilities are left clean and undamaged. NCA reserves the right to inspect the pool prior to the return of the security deposit.
2. A check made out to Newington Community Association for the party, which will include a flat fee of \$25 for the use of the pool, plus a staff fee, to be determined by the Pool Manager.
3. The pool manager and/or the NCA Board have the right to suspend activities at any time in case of misconduct and/or misbehavior by a guest at an approved party. Such a suspension will automatically make the security deposit non-refundable.

LIABILITY

All persons entering the pool facility do so at their own risk. Entry constitutes agreement not to hold NCA liable for personal injury or loss or damage to personal property, except injury by breach of ordinary standards of care. The adult member or adult guest is responsible for the actions of their accompanying children and/or guests. Children brought to and/or attended by a responsible person remain the responsibility of said person as long as the children are within the pool facility. Adult liability resides with the individual.