

RULES REGARDING POOL USE

The following are excerpts from the Avery Park HOA Rules and Regulations.

General Amenities:

- A. The community's Amenities are part of the common area; and include the cabana building and adjacent pavilion, the playground area, the pool, the ponds and associated pavilions, the hiking trails, and the tennis/pickleball/ basketball courts.
- B. When using the amenities, all Guests must be accompanied by an Owner or Tenant or an adult member of the Owner's/Tenant's family at all times. In addition, an adult must supervise minor children at all times. An adult is a person who is 18 years old or older.
 - i. An exception to the above rule is made for someone who babysits/ housesits/ petsits for the resident. If the sitter intends on using the community amenities, they must be at least 18 years old. The sitter is not entitled to invite guests.
 - ii. All approved guests, as outlined above, that use the pool in the absence of an adult member of the owner/tenant's household should sign in using the guest book and waiver, located inside the cabana.

Pool Area:

- A. General:
 - i. The pool and pool area are open to all Owners/Tenants/Residents and cannot be reserved for private use. The pool season will normally run from Memorial Day weekend through Labor Day weekend. When open for use, the pool hours of operation are from 7:00 am to 10:00 pm daily.
 - ii. NO LIFEGUARD OR ATTENDANT IS ON DUTY. THEREFORE, USERS SWIM AT THEIR OWN RISK.
 - iii. Owners/Tenants/Residents are responsible for the safety and behavior of any guests they invite to use the pool, including compliance with the rules and regulations of this Article for the use of the pool. A single occupied residence or lot owner shall have a non-resident pool/cabana guest limit of 8. Owner lots and residences cannot be combined. There is a flat guest limit of 8.
 - iv. No person under 18 years of age will be permitted to use the pool unless he/ she (1) is accompanied and supervised by an adult (18 years or older) who is responsible for that person's safety and behavior or (2) has been granted "young adult pool use privileges" (see paragraph 4.C of this Article).
 - v. The gate to the pool must be kept closed at all times, except to pass through.
 - vi. Pets of any kind are not allowed in the pool area.
 - vii. The pool area is a non-smoking area.
 - viii. Owners/Tenants/Residents using the pool area are responsible for securing the gate, lowering and tying down of umbrellas, removal of personal items and

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trash when leaving the pool. No toys or other items should be left in the water. The last person to leave the pool area will also ensure that all cabana lights are off and all doors are locked.

- ix. Individual property should not be left in the pool area over night. Safeguarding of individual property is the owner's responsibility and the Association is not responsible for lost or stolen property.
- x. Swimmers will insure that they are dried off and wearing footwear before entering the cabana, with the exception of the bathroom facilities through their exterior doors.
- xi. Only bathing suits will be worn in the pool. Cut offs, regular shorts, or street clothes are not allowed. Babies and persons who are incontinent must wear leak proof garments when in the pool.
- xii. Consumption of food and beverages is restricted to the table areas around the pool or the pavilion area just outside the gate to the pool area. No food or beverages may be taken into the pool. Any food, drink, or other materials spilled within the pool enclosure must be cleaned up immediately and thoroughly by the responsible resident or houseguest.

B. Pool Safety.

- i. Swimming alone is unwise and strongly discouraged.
- ii. Since water is a ready conductor of electricity, to avoid risk of death or injury the pool should not be used during an electrical storm. Wait 30 minutes after thunder is heard before entering the pool.
- iii. No horseplay will be permitted either on the deck or in the pool. This includes running, wrestling, jumping, dunking, diving, jumping from the deck onto a swimmer(s) in the pool, and all other similar and potentially hazardous activities.
- iv. No glass, china, porcelain, or other breakable plates or containers are allowed within or immediately adjacent to the pool.
- v. No one shall tamper with the pool operational equipment or with the pool safety equipment.
- vi. Wheeled vehicles such as bicycles, tricycles, skates, skateboards, or wheeled toys are not allowed into the pool area. Strollers, wheelchairs, and wheeled ice chests are allowed.

C. Young Adult Pool Use Privilege.

- i. A young adult family member of an Owner/Resident is defined as someone who is under the age of 18 but has reached the age of 15 years old or will be entering the 10th grade in the coming Fall semester. A parent or legal guardian must approve use of the pool and facilities by a young adult without being accompanied or supervised by another adult. A Parental Permission Verification Form (See Appendix E) must be completed, signed, and submitted

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to the Community Manager to document the parent's or legal guardian's approval.

- ii. The young adult pool use privilege is granted upon the Community Manager's acceptance of a Parental Permission Verification Form.
- iii. All young adults, including their guests, must know how to swim, and shall obey the Rules and Regulations for Use of the Swimming Pool.
- iv. A young adult may not swim alone in the pool unless an adult (18 years or older) or another authorized young adult is in the pool area. The young adult must exit the water when no adult or other authorized young adult is in the pool area.
- v. If a young adult brings a non-resident guest under 18 years of age to use the pool and facilities, then the guest must be accompanied and supervised by an adult (18 years or older) owner/resident who is responsible for that person's safety and behavior.
- vi. The parent or legal guardian giving approval for a young adult to use the pool is responsible for the young adult's behavior as well as the behavior of the young adult's guests.
- vii. The Board may withdraw the privilege of using the pool and facilities by a young adult who has violated the Rules and Regulations for Use of the Swimming Pool, or whose behavior is deemed not appropriate, in the sole discretion of the Board.

D. Removal of Pool Privileges:

- i. Owners/Residents who disregard (or whose Guests disregard) the Rules and Regulations for Use of the Swimming Pool may be fined or have their pool use privileges suspended by the Board.
- ii. Owners who are delinquent in payment of their assessments to the Association will not be allowed to use the pool or pool area. This includes their Tenants and guests.