

**Avenel Community Association (ACA)
Avenel Swim and Tennis Facilities (ASTF)
POOL RULES**

**PLEASE READ THE RULES CAREFULLY.
PLEASE BE SURE THAT YOUR GUESTS ALSO READ AND ABIDE BY THESE RULES.**

Pursuant to Article VII, Section A of the Bylaws governing the Avenel Community Association, the Board of Directors shall have the authority to establish rules and regulations governing the use and operation of the Common Area of the ACA; and

The Board of Directors has determined that it is necessary and appropriate to establish rules and regulations governing the use of the pool and tennis courts and related clubhouse, parking and other facilities (ASTF); and

The Board of Directors has adopted the following rules designed to protect the health and welfare of members and guests as well as to facilitate the maximum enjoyment of the ASTF by the membership.

Failure to abide by these rules may be grounds for suspension of future use of the ASTF or other enforcement action of the ACA. We ask for your consideration in abiding by these rules. If any problems or questions arise, please discuss them with the Pool Manager or the ACA General Manager. These rules may be revised and/or amended at any time at the discretion of the ACA Board of Directors.

All persons using the ASTF do so at their own risk and sole responsibility. The Avenel Community Association (Association or ACA) does not assume responsibility for any accident or injury in connection with such use. The member, guest or any other person or persons covenant(s) and agree(s) to fully indemnify the Association, its Board of Directors, committees, professional staff, contractors and/or its agents and assignees, and make no claim against the Association for or on account of any loss or any damage of life, limb, or property sustained.

ADMITTANCE AND GENERAL RULES

Members as referred to in these Rules mean and include, owners and tenants of lots within the Avenel Community Association and their household members and authorized members of the ASTF (pursuant to the grandfathered membership rights created by agreement between ACA and The Swim Club of Avenel, Inc. upon the completion of the purchase and sale transaction whereby ACA took ownership of the ASTF (hereafter referred to as "Grandfathered ASTF Member"), collectively referred to as "Members".

Only Members in good standing shall be admitted access and use of the ASTF. A Member in good standing is defined as (1) an Avenel member who is not in violation of any ASTF rules and regulations, is current in the payment of all assessments levied against the member's residential lot, is not subject to any suspension of voting and/or any privileges as a result of proceedings conducted in accordance with the Avenel's Governing Documents and is not found to be in violation of any of the Avenel's Governing Documents having failed to cure such violation within any designated cure period; and (2) a Grandfathered ASTF Member that is current in the payment of any annual membership, rental, and associated fees and is not in violation of any ASTF rules and regulations. It is the sole responsibility of the member to contact the ACA management office and advise that their account has been restored to good standing. Upon confirmation by the ACA, admittance to the ASTF will be restored.

Members may bring guests to use the ASTF in accordance with the guest policies established by the ACA. Members' guests may use the ASTF only when accompanied at all times by the Member who invited him or her.

All Members and guests must show proof of membership or guest pass at the front desk in a form acceptable to the Association.

All Members, residents, and their guests using sports courts or the pool do so “at their own risk,” and neither the Association nor its manager and/or agents shall be responsible for injuries or accidents.

Alcoholic beverages or intoxicants are not permitted anywhere within the ASTF property.

Smoking is not permitted anywhere within the ASTF property.

Chewing gum is not permitted in the pool area.

Children under the age of fourteen (14) must be accompanied by a parent or responsible adult of twenty-one (21) years or older at all times when on or using the ASTF. The maximum number of children under fourteen (14) that can be admitted may not exceed six (6) per adult of twenty-one (21) years or older.

Children 6 years of age or older must change in the appropriate locker room with adult supervision or see the Pool Manager for special arrangements.

All persons using radios and sound devices must wear earphones so that their radios and sound devices do not disturb others. Any such devices must be kept at least 8 feet from the edge of pools.

Cell phones may be used only when out of earshot of others using the ASTF so the conversations do not disturb others.

The use of cameras, video cameras or any device containing camera equipment of any kind is prohibited in all locker rooms and bathrooms.

No pets except as may be required by applicable law are permitted anywhere within the ASTF property.

ACA is not responsible for theft or damage to personal property. Please leave valuables at home.

Members will be fully and solely responsible for the actions of their guests and will be responsible for payment of any damages resulting from the actions or inactions of their guests. Members or their guests who damage or destroy any ASTF property will be responsible for paying for any and all damages and may be subject to suspension until damages are paid for and/or may be subject to other enforcement action with respect to such conduct.

HEALTH, WELFARE AND CONDUCT

At the discretion of the lifeguard staff, any person may be required to complete a water safety test to use the pool unassisted.

Members may not utilize the pool if they have a respiratory infection or contagious disease.

Persons with open wounds, large bandages, or noticeable skin disorders may not utilize the pool.

All persons using the pool must shower before entering the pool.

It is prohibited to introduce dirt, excreta, foaming agents, soaps and other extraneous matter into the pool water.

Spitting, spouting of water or discharging bodily wastes is strictly prohibited.

Throwing balls, frisbees, or other objects is prohibited unless as approved in a specified area.

Any personal objects, toys, implements, devices or materials brought to the pool that the lifeguard deems potentially dangerous or unsafe shall not be permitted in the pool areas.

Running, punching, rough playing, cannonballing, or any personal conduct deemed by the lifeguard to be endangering the safety of any person is prohibited in the pools or on the surrounding deck areas.

Diving is only permitted in the deep end, non-lap lane section of the pool or as otherwise further limited or directed by the lifeguard.

Use of abusive or profane language or other improper conduct at the ASTF shall be prohibited.

Glass containers are prohibited in the pool area.

Eating is only permitted in the designated eating areas (i.e. picnic tables and grassy areas).

Chairs are not permitted within 6 feet of the pool side.

Supervision of children under the age of fourteen (14) will be the responsibility of the adult bringing them to the pool and they must not leave them unattended at any time.

All non-swimmers or persons that are not water-safe, as may be determined by the lifeguard, must be accompanied by a responsible adult. Adults who are responsible for supervising non-swimmers or those persons not deemed water-safe must go into the pool and stay within reach of these children (and not simply observe them from a nearby deck).

Persons unable to demonstrate to the guards their ability to swim are not permitted in deep water. Water-safe, as used herein shall mean a person who is capable of swimming in the pool on his or her own in the deep water without assistance. The lifeguard has full discretion in determining the water-safe status of any person using the pool.

Use of flotation devices for young children, such as water wings, may be used only with a supervising adult within arms' length of the child and at the sole discretion of the lifeguards on duty. Other flotation devices may be allowed in the pools at the discretion of the lifeguard on duty and so long as not disruptive to other pool users.

All persons shall obey the instruction of the lifeguards. The lifeguards on duty have absolute authority in the pool and deck areas. Lifeguards are authorized to close the pool for any reason deemed necessary, including electrical storms, equipment failure, pool chemical problems, inclement weather, and any potential health or safety issue or condition.

No Member or guest shall use the pool unless it is officially open and lifeguards are on duty on the pool deck. Unauthorized use of the pool after hours will constitute trespassing and may be prosecuted or subject to other internal enforcement procedures of ACA.

Proper swim attire for a family-oriented environment should be worn at all times when in the pool or on the pool deck or other associated facilities. It is prohibited for persons to enter the pools with street clothes or street shoes.

Lap Swimming Rules: With the exception of swim team practice times, 3 lap lanes will be available at all times for lap swimming by qualified swimmers. The lifeguard shall have discretion in determining whether a person is a qualified lap swimmer. The lap lane must be shared if needed to accommodate those interested.

It is anticipated that the Avenel Swim Team will have priority to use 2 to 3 lanes during scheduled afternoon swim practice. Hours of swim team use will be posted.

Holding on to lane ropes is not permitted.

If special arrangements are needed to accommodate a disability, the Member should contact the Pool Manager or the ACA General Manager.

In accordance with Montgomery County Department of Health Code, children who are not toilet trained must wear snug-fitting rubber pants with tight fitting waist and legs over any kinds of diaper or swim-diapers under their swimsuits and any changing of diapers shall be performed in the locker room or bathrooms.

No wheeled vehicles, except wheelchairs and strollers, may be allowed in the pool area unless otherwise approved by the lifeguard, pool manager or General Manager of ACA.

The Lifeguard's emergency signal for clearing the pool is 3 blasts of the whistle. When this signal is sounded by the lifeguard all swimmers must leave the pool by the nearest ladder or pool edge.

Notwithstanding the specific rules provided herein, the lifeguard shall have full discretion to address and/or prohibit any other conduct or omissions by a Member or guest deemed to be unsafe, endangering the safety of any person or improper for the operation of the facilities.