

**DOMINION VALLEY OWNERS ASSOCIATION
POLICY RESOLUTION NO. 10**

POOL POLICY

Relating to rules and regulations regarding the use of Association pools

WHEREAS, Article 4, Section 4.1 of the Bylaws states that "The Board of Directors shall have all of the powers and duties necessary for the administration of the affairs of the Association and may do all such acts and things as are not required by the Act or the Association Documents to be exercised and done by the owners;" and

WHEREAS, Article 2, Section 2.3 of the Declaration for Dominion Valley ("Declaration") provides that the Board of Directors shall have the right to regulate use of the Common Area; and,

WHEREAS, Article 8, Section 8.2(f) of the Declaration provides, in pertinent part, that, "no Owner shall make any private, exclusive or proprietary use of any of the Common Area . . . without the prior written approval of the Board of Directors;" and,

WHEREAS, Article 8, Section 8.3 of the Declaration provides, in pertinent part, that, "The Board of Directors shall have the power to adopt, amend and repeal Rules and Regulations restricting and regulating the use and enjoyment of the Property or of any portion thereof, which may supplement, but may not be inconsistent with the provisions of the Association Documents;" and,

WHEREAS, for the health, safety, welfare, comfort, and convenience of all Owners, the Board wishes to establish uniform regulations the use of Association Pools;

NOW, THEREFORE, BE IT RESOLVED THAT the following pool rules be adopted by the Board:

I. RIGHT TO USE POOL

- A. All Members of the Association (or their designated tenants), are entitled to use the swimming pool facilities. This privilege may be suspended by the Board of Directors for Members who are delinquent in their assessment payments for a period in excess of sixty (60) days in accordance with the procedures set forth in the Declaration and the rules and regulations adopted pursuant thereto. Members who lease their Lot must designate, in writing, using a form authorized by the Association, those tenants living in the Lot who are entitled to use the community facilities, including the swimming pools and The Waverly Club. As with Members of the Association, all tenants ages five (5) and older must present a valid DVOA-issued pool pass with the current year's Pool Validation Sticker adhered to the back of the pass at the time of entry to the pool. A non-resident Member who leases his or her Lot will be deemed to have

designated his right of use to his/her tenants and is therefore not entitled to use of these community facilities.

- B. Members of the Association, ages 5 and older, will be required to present a valid DVOA-issued pool pass with the current year's DVOA Pool Validation Sticker adhered to the back of the pass, to access Association pools. Because non-residents of Dominion Valley can obtain a Country Club Membership, Dominion Valley Country Club ID Cards will not be accepted for entry to DVOA recreational facilities. Children under five (5) years of age will not be required to present a pass. All adults, eighteen (18) years and older, not listed as the property owner in the DVOA office records must provide proof of residency in the form of a valid VA Driver's License, Voter's Registration, or utility bill in order to obtain a pool pass. The Association and lifeguards are not responsible for resident pool passes not claimed or picked up by the resident after use of the pools.
- C. Individuals who are at least sixteen (16) years of age and who are caregivers of an eligible pool user may enter and accompany the eligible pool user at all times to the pool facilities with written authorization of an eligible Member if the Member is not available as an escort (e.g., during working hours). Caregivers aged sixteen (16) and seventeen (17) may bring up to two (2) minor children under the age of twelve (12). All caregivers must register with the Managing Agent prior to entering the pool. The caregiver must present both their DVOA-issued pool pass and the eligible pool user's DVOA-issued pool pass, with the current year's DVOA Pool Validation Sticker adhered to the back of the pass, to gain entry to the pool. The conduct of the pool users and the caregiver is the responsibility of the Member. Caregivers who are not permanent residents of Dominion Valley are not permitted to use the pool facilities without the accompaniment of an eligible pool user.
- D. Extended family members permanently residing in the home of an eligible Member are eligible to use the pool facilities. A permanent family member (mother, father, grand parent, brother, sister, aunt, uncle) is defined as a family member who lives in the home for an extended period of time. Proof of residency from the extended family member, such as a driver's license or utility bill, showing the Lot Owner's Dominion Valley address is required upon application for a pool pass from the Owner. Mail received in the extended family resident's name from a Federal, State, County or local government showing the Lot Owner's Dominion Valley address will also be accepted as proof that the extended family member resides in Dominion Valley.
- E. Guests must be accompanied at all times by an eligible pool user with a valid pool pass with the current year's DVOA Pool Validation Sticker adhered to the back of the pass and who is sixteen (16) years of age or older. Proof of age may be requested. Guests will not be admitted to the pool without such accompaniment. All guests must be registered with the pool manager and properly accounted for with a guest pass prior to entering the pool. All guests must comply with the Association's rules and regulations, and the conduct of guests is the responsibility of the Member.
- F. Guest pool passes may be purchased by an eligible Member at the DVOA offices (located at the Country Club Sports Pavilion and inside The Waverly Club) by check or debit/credit card, or at the lifeguard stations at the Ryder Cup and Gaines Mill Facilities by check only. Cash will not be accepted at any location for payment for purchase of guest passes. Guest pool passes will be sold in a set of ten (10) for \$10.00 or a set of five (5) for \$5.00. Checks should be made out to DVOA. Guest passes will be punched by the lifeguard at the time of entry into the pool. No receipts for check payments will be provided.

- G. The Board of Directors may, from time to time, establish additional rules with respect to guest privileges, including the number of guests that may be admitted and fees, if any, for such guests. Until the Board establishes rules to the contrary, an eligible pool user sixteen (16) or seventeen (17) years of age may bring a maximum of two (2) guests at any time for a fee established by the Association. Furthermore, there will be a maximum of six (6) guests admitted to the pools per eligible household, with the exception of holiday weekends, Association sponsored events or if any of the pools reach 75% (seventy-five percent) capacity, at which time the lifeguards or managing agent may turn away guests or limit the number of guests admitted.

II. RULES FOR USE OF THE POOL

1. OUTDOOR AND INDOOR POOLS

- A. The Association is represented by the pool managers and lifeguards, who have been instructed in the rules of the pool. Any conflicts shall be addressed with the pool manager, or assistant manager, who will bring the issue to the Association if it cannot be satisfactorily resolved.
- B. Certified lifeguards will be on duty at all times that the pool is open. They have the authority to use their discretion to enforce the rules to maintain a safe and healthy environment. The pool manager is in charge of the pool and is there for the protection of persons using the pool. The pool manager has the authority to ask anyone to leave the pool area for infractions of the rules or when safety is threatened. The managing agent may prohibit entry to anyone for a period not to exceed sixty (60) days for violations of the rules and regulations, with authorization from the Board of Directors and in accordance with the enforcement procedures set forth in the Declaration and the rules and regulations adopted pursuant thereto.
- C. Safety is of primary concern to the Association and its Members. All persons using the pool do so at their own risk and agree to abide by the rules for use of the facility. The Association assumes no responsibility for any accident or injury in connection with such use or for any loss or damage to personal property. Residents (Members and tenants) are responsible for the actions of their family members, tenants, children and guests.
- D. Children under twelve (12) years of age must be accompanied at all times by a responsible authorized pool user, who is at least sixteen (16) years of age or older as indicated by a valid DVOA pool pass, while in the pool area. Eligible pool users sixteen (16) and seventeen (17) years of age may bring a maximum of two (2) children under twelve (12) years of age. Children less than five (5) years of age and non-swimmers must be supervised by a responsible person who is in the water and remains within arm's reach of the child.
- E. No person shall use the pool facilities unless the pool is officially open and lifeguards are on duty. Unauthorized persons found inside the pool enclosure when the pool is closed will lose their privileges for the remainder of the summer pursuant to the enforcement procedures set forth in the Declaration and the rules and regulations adopted pursuant thereto and risk prosecution for trespassing.
- F. All persons shall take a shower using soap and warm water and thoroughly rinse off before entering the pool.

- G. Persons who have obvious infections (colds, lesions, open sores, etc.) will not be allowed in the pool. Sanitary habits are a responsibility of everyone and anyone displaying improper behavior will be asked to leave the pool area.
- H. Cigarette smoking, including e-cigarettes and/or vaping, and chewing gum are not permitted.
- I. Food and beverages may be brought into and consumed in the enclosed pool area. All trash must be placed in the trash containers provided.
- J. No glass of any kind is permitted in the pool enclosure.
- K. Intoxicants are not permitted, and intoxicated persons will not be permitted in the pool area at any time.
- L. All persons swimming in the pool must have proper swim attire that is designed for swimming i.e. lycra, spandex, neoprene and nylon material. All persons that require a diaper must wear swim diapers and proper swimwear. Inappropriate attire will not be permitted in the pool.
- M. Persons must stay clear of lifeguard stations at all times.
- N. Persons unable to demonstrate an ability to swim will not be permitted in the deep end of the pool.
- O. No play equipment, play pens, or wheeled vehicles (except wheelchairs, strollers, etc.) are permitted in the pool area.
- P. Service and/or assistance animals are permitted in the pool area, but other domestic animals are not permitted in the pool due to health and safety concerns.
- Q. Large rafts or flotation devices that obstruct the lifeguards' view shall not be allowed in the pool. Smaller flotation devices (e.g. personal, circular, tubes) and Items designed for safety of persons with limited swimming abilities shall be permitted at the lifeguards' discretion. In addition, toys and balls intended for pool use are permitted.
- R. Personal items may not be left in the pool area and may be subject to disposal if unclaimed.
- S. Running, pushing, wrestling, dunking, standing or sitting on another's shoulders is prohibited. No screaming, profanity, or other boisterous behavior will be permitted in the pool area or pool building.
- T. Swimmers shall remain clear of the ladders except when entering or exiting the pool.
- U. All refuse must be placed in containers provided for this purpose. Keeping the facility clean is everyone's responsibility.
- V. A lap swim shall occur at the bottom of every hour for 10 minutes.
- W. The pool may be closed at the discretion of the pool manager on duty in case of thunder, lightning, rain, inclement weather, sanitary mishaps, or operational breakdown.

- X. The use of electronic devices is permitted, and all electronic devices being utilized should be kept at an unobtrusive noise level or be used with headphones.
- Y. Reserved use of the pool facility shall be permitted only for Association events sanctioned by the Board of Directors and in accordance with any rules and regulations promulgated by the Board.
- Z. It is not intended that the indoor or outdoor pools be used as a place for conducting activities that will be attended or hosted by non-residents. The Association's pools are for the use of the Association's Members and their authorized guests.
- AA. Personal trainers, coaches, and swim instructors are prohibited from conducting lessons, classes, or other activities at the indoor or outdoor pools without prior written authorization from the Board of Directors.

2. INDOOR POOL

- A. Lap swimmers (continuous swim) will have priority use of the lap lanes. If necessary however, lanes can be shared by circular swimming/walking in a counter-clockwise direction.
- B. If others are waiting for a lane, as a courtesy, usage time will be limited to thirty (30) minutes.
- C. Please be courteous to other pool users by maintaining use of one lane only and not encroaching on other lanes in use.
- D. No hanging or climbing over pool lane lines is permitted.

3. ALL POOLS

- A. No one with a fever or symptoms of any contagious disease or known recent exposure to a person with such disease should enter the pool area.
- B. The Board of Directors may suspend or change any of the policies or rules set forth herein without advance notice as needed to address any health concerns or any changes in government regulations or guidelines.
- C. Any person choosing to use any of the Association's facilities, including the swimming pools, does so voluntarily and with the understanding that he/she may be exposing him/herself to a risk of contracting known or unknown conditions, including contagious viruses and other diseases. The Association disclaims any and all liability relating to the use of the pool. The pool is made available to residents purely for their convenience and any use is at the resident's own risk and responsibility.