

THE VILLAGES AT HIGHLANDS RANCH SUBASSOCIATION, INC. POOL RULES

I. POOL HOURS. The pool will be open daily, 7:00 a.m. until 10:00 p.m., Memorial Day Weekend through Labor Day Weekend, unless such hours/days of operation are otherwise limited by the Board of Directors ("Board") of The Villages at Highlands Ranch Subassociation, Inc. (the "Association").

II. PERMITTED USERS, IDENTIFICATION, WAIVER AND RELEASE. The pool is for the use of The Villages at Highlands Ranch owners ("Owner"), OR resident tenants, and their invited guest(s) ("Guest") with proper identification only (collectively "Users"). **Non-resident Owners do not have pool privileges.** Users must have a pool card key with them to enter the Pool Area. For purposes of these rules the Pool Area is that area inside of the fence surrounding the pool. Unauthorized persons found in the Pool Area are subject to prosecution for trespassing and such other sanctions, including the imposition, following notice and an opportunity for a hearing, of fines and suspension or revocation of pool use privileges and any other discipline provided for in the Association's governing documents, policies, rules and regulations. Each User's use of the pool is conditioned upon each person using the pool, whether an Owner, Guest, or otherwise, executing a Waiver and Release ("Waiver and Release"). Minors must have the Waiver signed by a parent or legal guardian. The failure to execute the Waiver and Release will not relieve User from any of its obligations under these pool rules ("Rules") or the Association's governing documents, policies, rules and regulations.

III. GENERAL REQUIREMENTS AND CONDUCT.

- 1) **Assumption of Risk.** Regardless of whether a Waiver and Release has been executed, all persons using the pool or Pool Area do so at their own risk. Please use caution. Neither the Association nor the Manager will be responsible for any occurrence, accident or injury in connection with such use. A competent swimmer should accompany all non-swimmers. **NO LIFEGUARD WILL BE ON DUTY** and all Persons **SWIM AT THEIR OWN RISK.** Life-saving equipment is for **EMERGENCY USE ONLY.**
- 2) **Right to Revoke Privileges.** Any person who violates any of the Rules or the pool rules as posted will be reported to the Board and, if appropriate, to the Douglas County Sheriff's Department. Serious infractions or repeat offenses may result in a fine and suspension or revocation of pool privileges at the discretion of the Board.
- 3) **No Alcoholic Beverages.** No alcoholic beverages of any kind, whether the container is open or closed, are allowed within the Pool Area.
- 4) **Use of Pool.** For safety reasons and due to the fact that there is no lifeguard on duty, the following rules apply:
 - a) Persons must be 15 years of age or over to use the swimming pool without adult supervision.
 - b) Adult supervision (18 years of age or older) is required for all persons under the age of 15 while such persons are in the Pool Area.
 - c) No person is allowed in the pool unless at least one other responsible and reliable person capable of assistance in the event of injury or incapacity is present.
 - d) A responsible and reliable person must accompany and supervise such persons who require supervision at all times while such persons are in the water or otherwise in the Pool Area. A person is a "responsible and reliable person" if he or she is over the age of 15 and assumes full and complete responsibility for the safety of persons who require supervision and are under his or her responsibility and remains with persons who require supervision the entire time that they are within the Pool Area.
 - e) Parents, whether or not they are at the pool, are responsible for the safety and behavior of their children.
- 5) **Attire.** Proper swim attire is required. Street clothes, e.g. cut-offs, jeans, undergarments are not considered proper swim attire. Persons who are not toilet trained or who are incontinent **MUST** wear a swim diaper. Disposable diapers are not permitted in the pool. If there is a contamination incident, please report it immediately to the Manager.
- 6) **Noise and Disturbance.** Conduct by any person deemed to be dangerous, unreasonable, or offensive (including "horseplay," loud radios, and obscene language) is prohibited and may result in loss of swim privileges and other sanctions. Such conduct should be reported to the Manager.

(over)

7) Safety and Health Rules.

- a) Running, hopping, skipping or speed walking within the Pool Area is prohibited. Bicycles, skateboards, or scooters are prohibited in the Pool Area. Roller-skates and/or rollerblades must be taken off at the gate and carried into the Pool Area.
- b) Diving is prohibited.
- c) Pets are prohibited in the Pool Area. Tying or securing pets to the fence enclosing the Pool Area is prohibited. (Guide or service dogs accompanying blind, visually handicapped, deaf, partially deaf and otherwise physically disabled persons are excepted).
- d) Consumption of food in seating areas less than six feet from the pool is prohibited. All beverages, food or refreshments brought into the Pool Area must be in paper, metal or plastic containers. Glass containers are prohibited in the Pool Area. Chewing gum is prohibited in the Pool Area. All trash generated by swimmers must be placed in garbage containers or otherwise properly disposed of.
- e) Swimmers must take a cleansing shower before entering the pool.
- f) Persons with open sores, wounds, colds, nasal or ear discharge or communicable diseases, as well as bandages of any kind are prohibited from entering the pool.
- g) Spitting and blowing of noses in the pool are prohibited.
- h) Smoking in the Pool Area is prohibited.
- i) In the event of inclement weather, swimmers are to immediately exit the pool during the storm and for at least thirty minutes after lightning and/or thunder has ceased. Swimmers are welcome to stay in the Pool Area during this time, but are cautioned to stay a safe distance from the water.
- j) Any person who is under the influence of drugs or alcohol is not permitted in the Pool Area.

8) Access and Gates. The gates are to remain locked at all times. The pool shall be accessed only with a pool cardkey. **Under no circumstances shall the gates be propped open.** The fence and gate that surround the Pool Area are for safety and protection. Climbing over the fence is prohibited. Pool users shall not admit anyone into the Pool Area, even if they have a pool cardkey in their possession. If a person's pool cardkey does not work, the cardholder should contact the Manager for instructions.

9) General. Swim safely and treat others, as you would like to be treated. Do not throw items when others are nearby. Be considerate of other residents while using the pool.

IV. MISCELLANEOUS

Guest Policies

The Villages at Highlands Ranch homeowner or resident tenant (over 15) must accompany any Guests. Residents under the age of 18 are permitted 1 guest at a time. Residents over 18 are permitted 2 Guests at a time. The Board of Directors must approve larger parties in advance.

Pool Card Keys

To obtain pool card keys, a signed Waiver and Release must be on file with the Association or its Manager. Upon receipt of the signed Waiver and Release, and determination that Association dues owed by the User are in good standing, the pool card key will be activated and mailed to the User. Cardholders shall not distribute pool card keys to anyone outside of immediate family or authorized guardian. Unauthorized use of a pool card key may result in revocation of pool privileges and deactivation of the pool card key. Each pool card key has a unique identification number.

Two pool card keys will be issued per household. Initial pool card keys will be issued at no cost. Lost or stolen pool card keys may be replaced AT A COST OF \$25.00 per pool card key; upon replacement, the old pool card key will be deactivated.

Restrooms

Restrooms are cleaned each morning. Please be considerate of the other residents by cleaning up after yourself. Use of cell phones and cameras in the restrooms is prohibited.

Pool Parties

Parties are not permitted without prior approval by the Board of Directors.

General

UNDER NO CIRCUMSTANCES WILL ALCOHOL, TOBACCO, DRUGS OR FIREARMS BE PERMITTED IN THE POOL AREA OR AREAS SURROUNDING THE POOL. ANYONE SEEN IN POSSESSION OR ENGAGING IN THE USE OF ANY OF THESE PROHIBITED ITEMS WILL BE SUBJECT TO FINES AND LOSS OF SWIMMING PRIVILEGES FOR A PERIOD TO BE DETERMINED BY THE BOARD AND OTHER LEGAL ACTIONS MAY BE TAKEN IN CONJUNCTION WITH DOUGLAS COUNTY SHERIFF'S DEPARTMENT.

Supervision of children and other persons who require supervision by the Association or its Manager is not available. The Association, its directors, officers, employees, members and Manager assume or accept no responsibility for safety or supervision of children and other persons who require supervision. Parents, whether or not they are at the swimming pool, are responsible for the safety and behavior of their children and other persons who require supervision and are subject to fines and other enforcement action for violation of any of these Rules by their children and Guests.

In order to insure the safety of all Users and Guests, unsafe or inappropriate behavior and/or violation of these Rules or the posted pool rules will result in the offending party being asked to immediately leave the Pool Area. In addition, individuals who engage in unacceptable, unsafe or irresponsible behavior or who violate these Rules or the posted pool rules may be fined and have access to the swimming pool suspended or revoked as follows:

Schedule of Fines:

First Violation-written warning

Second Violation-\$50.00 Fine

Third and Subsequent Violations-\$100.00 Fine

Schedule of Suspensions:

First Violation-Five day suspension (will include a weekend)

Second Violation-Suspension of up to two weeks

Third Violation-Suspension of up to the full swimming pool season

Fines for second and subsequent violations shall be imposed only following notice and an opportunity for hearing in accordance with the Bylaws of the Association. In addition to fines and suspension of access to the swimming pool such individuals are subject to any other discipline provided for in the governing documents, policies, rules and regulations of the Association. Judgment of behavior is at the sole discretion of the Board. All fines must be paid before Owner is eligible for reinstatement of pool use privileges.

THE MANAGER OF THE ASSOCIATION IS WESTERN STATES PROPERTY SERVICES, INC. THE MANAGER MAY BE CONTACTED AT 303-745-2220.