

Bergen Place Swimming Pool Rules and Usage Agreement

(changes have been highlighted)

A. General

1. Admittance only to authorized invitees, sponsored (non-resident) pool members in good standing, residents in good standing, and resident sponsored guests.
2. The Bergen Place pool and clubhouse are amenities to be enjoyed by all members. As such, each member is responsible for promoting and ensuring a fun, safe, family-friendly environment.
3. The pool is considered community property and exclusive use is prohibited unless a special event has been authorized by the Bergen Place Homeowners Association.
4. The health and safety of members and their guests is ultimately their own responsibility. The Bergen Place Home Owners Association assumes no responsibility for the loss or damage of personal property.
5. There is no Life Guard on Duty. Members are responsible for their own actions and safety.
6. No pets, bicycles, skateboards or any other motorized land vehicles are allowed in the pool area. Gum is not permitted in the pool or pool area.
7. Any food items taken to the pool or immediate area surrounding the pool are the responsibility of the guest or member. **No food, drinks, or wrappers shall be permitted within three feet of the swimming pool.**
8. **At NO time shall glass, bottles, chinaware or items in breakable containers be allowed in the pool or pool deck area.**
9. **No Smoking/Vaping is allowed in the Pool or Clubhouse area.**
10. All trash must be placed in the receptacles provided. Prompt disposal of empty soft drink cans and other trash will prevent ants and bees on the pool decks.
11. Tampering with or defacing Association property or equipment is prohibited. Property damage will be charged to the responsible member.

12. Members are required to ensure that their children know and abide by the pool rules and regulations. Parents, whether present or not, are responsible for the conduct of their children using Association facilities.

13. All children under the age of fourteen (14) shall be accompanied by a person age seventeen (17) or older at ALL times while visiting the pool area.

14. All members and guests are responsible for using the clubhouse and pool facilities in accordance with the rules and regulations as described herein.

B. Membership Policy

1. Membership is restricted to Bergen Place residents and a maximum **annually set** number of sponsored (non-resident) pool members in good standing.

2. Leased Bergen Place properties are only issued one pool fob. Fob issuance to tenant or unit owner is at property owner's discretion.

3. The Management company, Bragg and Associates, **will screen fob applicants and notify the HOA Board.** Applicable membership forms must be completed and signed for each family and sponsor prior to being issued a fob. Once a resident fob is issued, the fob will remain valid and may be re-used during subsequent pool seasons. Residents must remain in good standing or assigned fob will be suspended. Lost or discarded fobs will require a replacement fee.

4. Resident and sponsored (non-resident) member fobs may only be used by the assignee. Loaning or sharing member fobs is NOT permitted. Violators of this policy will incur the following penalties:

- First Violation-Verbal Warning
- Second Violation-Assigned fob will be suspended for seven (7) days.
- Third Violation-Assigned fob will be suspended indefinitely pending a review by the Board of Directors.

5. No member will be admitted without a Bergen Place resident or sponsored (non-resident) member fob. This rule applies for all members.

6. A person failing to produce member identification upon request or appropriately identify themselves as an authorized guest will be denied use of the facilities.

7. A fee of **\$20.00** will be charged to replace each lost member fob with a maximum replacement fee of **\$30.00** per replacement request.

C. Guest Policy

1. For this policy the term "Guest" is defined as any non-Bergen Place resident [excluding sponsored (non-resident) member] who is age three (3) or older.
2. All guests must be accompanied by a Bergen Place homeowner. **Outside Pool Members are limited to family members only, no guests.**
3. Bergen Place residents who are delinquent on their Home Owners Association (HOA) dues cannot be considered guests and will not be granted use of the clubhouse or pool facilities.
4. Guests are subject to all rules and regulations that apply to members and guest conduct is the responsibility of the pool member who sponsors him or her. This includes being responsible for any and all facility damages that are caused by the guest.
5. Maximum number of guests per member household per day is four (4).

D. Pool Party Policy (during community pool hours)

1. This Pool Party Policy is restricted to (age eighteen or older) **resident** members only.
2. **Resident** members who wish to escort ten (10) or more guests into the pool and clubhouse facilities (during normal community pool hours) must submit a Pool Party Reservation Request form to Elaine Cupp, 803-279-2215.
3. **Resident member pool parties are permitted during community pool hours on Thursdays through Sundays (restrictions apply).**
4. Parties may not exceed sixteen (16) people (including guests and supervising adults) for a **maximum of** three (3) hour duration.
5. One adult (age seventeen or older) must be present for every five children (under age sixteen).
6. Party members and guests are NOT entitled to exclusive use of the clubhouse or pool area. Exclusive use (private clubhouse/pool rental) of the facilities is available before and after the community's designated pool hours.
7. Resident and Outside Pool members may not enter the clubhouse during a private party.
8. To avoid resident conflicts, all pool parties should be paid and booked with Elaine Cupp at least two (2) weeks prior to the event.

9. This Pool Party Policy is in effect beginning on the first day of the pool season and ending on the last day of the pool season.

E. Smoking Policy

1. Smoking/Vaping is not permitted inside the community clubhouse or in pool area.
2. Please discard your cigarette(s) outside of the pool area in the trashcan provided.

F. Alcohol Policy

1. Although alcoholic beverages are not specifically excluded in the pool area, consumption should be inconspicuous so as not to offend those members who do not consume alcohol. Any member who appears to be under the influence of alcohol or other substances, which have a detrimental effect on pool safety and environment, will be removed from the pool area.

G. Adult Evenings Policy

1. During the pool season the Pool Committee periodically reserves the clubhouse and pool for adults (age 21 or older) use only.
2. Adult Evenings are for members age twenty-one (21) or older. At no time shall glass, bottles, chinaware, nor items in breakable containers be allowed in the pool or pool deck area.
3. Adult Evenings are intended to facilitate the gathering of mature members in aspiration of promoting and encouraging open communications and community bonding.

H. Health and Safety Policy

1. All commonly recognized rules of sanitation and safety shall be observed.
2. All members must dress appropriately. Cut offs and other inappropriate swimwear are not allowed in the pool. All members must shower before entering pool. No soap or shampoo is allowed in pool area.
3. No loitering in the bathroom area or rough play in or around the pool area (running, pushing, jumping on others, holding other under the water, etc).
4. Only one person at a time is permitted on the pool ladders. Please be courteous to others entering and exiting pool.
5. No glass, bottles, chinaware nor items in breakable containers are allowed in the pool or pool deck area. Gum is not permitted in the pool or pool deck area.

6. All trash must be placed in the receptacles provided. Prompt disposal of empty soft drink cans and other trash will prevent ants and bees on the pool deck.
7. Children age three (3) years old and younger, as well as any child not potty trained, must wear age appropriate snug fitting swim pants. Please remove your child from the pool before checking interior of swim pants. Violations of this policy that result in closure of community pool may result, at Board of Director discretion; in member being assessed a monetary penalty.
8. All members are required to familiarize their children with all pool rules. Parents are responsible for their children, whether that parent is at the pool or not.
9. Members and guests will be expected NOT to use the pool when they are ill, have an open or infected wound, or while wearing a bandage.
10. No spitting, spouting of water, or blowing nose while in the pool.
11. Board members have the authority to disallow exuberant play that may interfere with the enjoyment of the pool by others.
12. The use of vulgar language by anyone at the pool and clubhouse will not be tolerated.
13. The ratio of children (under age 14) to parent or other obligated adult (16 or older) will not be greater than five to one.
14. Any food items taken to the pool or immediate area surrounding the pool are the responsibility of the guest or pool member. No food, drink or wrappers shall be permitted within ten (10) feet of the swimming pool.

I. Swimming Pool

1. No children under the age of fourteen (14) are allowed in the clubhouse and pool area without a parent or guardian age seventeen (17) or older escort.
2. The ratio of children (under age 14) to parent or other obligated adult (17 or older) will not be greater than five to one.
3. Radios are allowed at a low volume setting. Please show respect to other members and guests.
4. No pets, bicycles, skateboards or any other motorized land vehicles are allowed in the pool area. Chewing gum is not allowed in the pool or pool area.
5. Swimming equipment such as water wings, children's small round floats, snorkel tubes, goggles, face masks, soft plastic balls under 12" diameter, etc. are permitted as

long as they do not pose a hazard to others in the pool or pool deck area. No water balloons are allowed.

6. Remove all aquatic items prior to leaving pool area.

7. Pool hours will be posted annually.

J. Clubhouse

1. Parents or legal guardians are responsible for supervising their children while in the clubhouse. Property damage will be charged to the responsible member.

2. No paint, tape or tacks are allowed on the walls or ceilings (please use ONLY 3M removable adhesive-backed hooks). The use of glitter is prohibited inside the clubhouse.

K. Restrooms

1. Members are requested to keep restrooms clean. Do not flush any foreign article such as sanitary napkins, disposable diapers or paper towels down the toilets. Removing graffiti and other defacements is an unnecessary expense that will be borne by the responsible party. Baby changing tables have been installed in the restrooms. Please use these tables when changing a child, not the pool area.

2. Report any plumbing problems immediately to a Bergen Place Board Member.

3. Dispose of all trash in the wastebaskets. Spills on the floor must be cleaned and mopped with water.

Subjects not covered by the above rules will be handled by the Board members or by the Pool Committee. Rules and regulations contained herein are subject to change as dictated by unforeseen circumstances.

K. Suggestions, Compliments and Complaints

1. The Pool Committee appreciates feedback from members and it will be used to support the committee's continuous improvement goals.

2. Members who would like to offer suggestions, compliments or complaints concerning the community pool and clubhouse are encouraged to attend monthly HOA meetings.

Bergen Place Pool Use Agreement

In consideration for The Bergen Place Homeowners Association allowing the non-exclusive use of the pool and related recreational facilities located in Bergen Place Subdivision (hereinafter 'Pool'). I, the undersigned, agree as follows:

1. I assume all responsibility, risks, liabilities and hazards incident to my use of the Pool and hereby release and forever discharge Bergen Place Association's officers, directors and employees, agents and members, past, present and future, from any and all claims, costs, causes of action and liability for personal injury or death and damage to or destruction of property arising from my use of the Pool.
2. I agree to indemnify and hold harmless The Bergen Place Association's officers, directors and employees, agents and members, past, present and future, from any and all claims, costs, causes of action and liability (including but not limited to attorney's fees) resulting from negligence or otherwise for an injury, to any person or property, suffered by me, my family members, employees, agents, guests, invitees or any member of the Association or any other person which arise from or are in any way related to my use of the Pool.
3. I assume all responsibility for the actions and behavior of all persons present at the Pool at my request or invitation or as a result of this Agreement and agree to be personally responsible for causing all such persons to comply with the rules and regulations concerning Pool use.
4. I have carefully read and understand the Pool Rules and Regulations.
5. I have carefully read and understand this Agreement and agree to be bound by its terms.

Homeowner/Outside Membership signature: _____

Date signed: _____