



KINGSTOWNE RESIDENTIAL OWNERS CORPORATION

**POLICY RESOLUTION NO. 10
Swimming Pool Rules**

WHEREAS, Article III, Section 3(b) of the Declaration of Covenants, Conditions and restrictions of the Kingstowne Residential Owners Corporation states that "the Board of Trustees shall have all powers for the conduct of the affairs of the Residential Corporation which are provided by law or the Founding Documents and which are not specifically reserved to Members or the Declarant in the Founding Documents"; and

WHEREAS, Article VI, Sections 9(c) and (d) of the Bylaws of the Kingstowne Residential Owners Corporation stipulate that it shall be the duty of the Board to: "Adopt and follow procedures for adoption and publication of Board Resolutions to be included in the book of Regulations, including the provision for hearing and notice to Members..."; and

"Adopt and publish rules and regulations including fees, if any, governing the use of the common area and facilities and the personal conduct of the Members and their guests thereon and include these in the Book of Regulations."

NOW, THEREFORE, BE IT RESOLVED THAT the following Rules and Regulations for use of the pools be adopted:

- I. PURPOSE.** These rules and policies are for the protection, benefit, and enjoyment of all Owners of the Kingstowne Residential Owners Corporation (KROC) and their authorized guests. They are designed to ensure the safe and sanitary operation of the KROC grounds and facilities, to provide equitable availability of the pool for all age groups, and to extend the service life of its grounds and facilities. The objectives of these rules and policies are of great importance to the community at large.
- II. COMPLIANCE.** The pool facilities are operated expressly for the enjoyment of the members, their families, and their authorized guests. Members are required to review and be familiar with these rules and policies and to require their family members and guests to observe them, and to comply with the directions of the Facilities Manager and Lifeguard staff. Members are responsible for their family members, tenants and guests and will be held legally accountable for their compliance.
- III. ENFORCEMENT**
 - a. Member Responsibility. All members must comply with the established rules and policies. By doing so, each member helps ensure the greatest enjoyment of the facilities by the community at large. Members should inform their family members, tenants, and guests of the rules and policies and should understand that their own failure to comply with the rules and policies, as well as the failure of their family members, tenants, and guests may cause for suspension of privileges and/or other sanctions.
 - b. Board of Trustees Responsibility. The Board of Trustees is responsible for establishing, revising, monitoring, and interpreting the rules and policies stated herein; however, as

also expressed herein, the Board has the authority to delegate these responsibilities. Any issues associated with these rules and policies should be brought to the attention of the General Manager who will then direct such issue to the Board for review, as deemed appropriate.

- c. Facility Manager and Lifeguard Staff. The Facility Manager is identified as the Pool Manager and/or the Recreation Manager. The Facility Manager and Lifeguard staff will perform the daily operation and management of the facility, as well as the on-site enforcement of the rules and policies. The Board has vested the Facility Manager and Lifeguard staff with the authority to make on-the-spot decisions regarding the enforcement of the rules and the protection of health and safety for all patrons, as well as the protection of the facilities from damages; accordingly, all members, their families, tenants and guests, must comply with those decisions. Failure to comply with the Facility Manager and/or Lifeguard staff may result in suspension of pool use. Complaints or suggestions should be directed in writing to the General Manager.
- d. Police Assistance. To protect the safety of the patrons, Kingstowne reserves the right to immediately eject anyone from the pool facilities if they constitute a threat to safety of patrons or damage to the facilities in the opinion of the Facility Manager. In this regard, Kingstowne has further reserved the right to request the Fairfax County Police Department to arrest and prosecute anyone who does not obey a directive to leave the premises.
- e. Disciplinary Action will be administered as follows:
 - i. Minor Violations. In response to a violation of the rules, the Facility Manager may suspend individuals from the grounds and/or from use of the facilities for up 48-hours. In such a case, the Facility Manager shall submit a report, detailing the offense and the disciplinary measure, to the General Manager in the Business Office with a copy kept on file by the pool management company.

Progressive Penalty Policy for Patrons

1st Infraction – Verbal Warning

2nd Infraction – Written Warning

3rd Infraction – The Facility Manager may eject the patron from the facility for up to 48-hours or such time as the Business Office is open, whichever comes first.

- ii. Serious Violations or Repeated Minor Violations. If the Facility Manager in his/her discretion determines that a patron's actions threaten the health and safety of either the patrons or staff, or involve repeated violations of the rules, the Facility Manager may request that the matter be resolved by a Pool Hearing Panel. In such cases, the Facility Manager will notify the General Manager, who will refer the matter to a Pool Hearing Panel and assist in coordinating a hearing before the Pool Hearing Panel. The General Manager may suspend the patron's privileges to use the swimming pool and related facilities until such time as the Pool Hearing Panel is held. The Pool Hearing Panel will strive to conduct the hearing in a reasonable amount of time following the incident while allowing the alleged offender sufficient time to prepare for such a hearing. When possible, the Pool Hearing Panel will use best efforts to conduct the hearing within 7-10 days

following the incident, though this amount of time may be extended when circumstances warrant such an extension.

- iii. Physical or Verbal Abuse at the pool facility or grounds by any patron or personnel is unacceptable and will not be tolerated. Any person at the pool facilities or grounds found being physically abusive, verbally abusive, or using profane language with any patron or personnel shall be immediately ejected from the pool facilities for a minimum of 24 hours.
- iv. Proper Etiquette shall be maintained by patrons of the facility so as not to infringe on the peaceful use and enjoyment of the facilities by other patrons. In the judgment of the Facility Manager, those individuals whose actions are disruptive to the peace and harmony of the facility may be ejected.
- v. Guests and Tenants. To operate the pool facilities for the maximum benefit of the community-at-large, Kingstowne is dependent upon the proper behavior of all of its patrons. Since Kingstowne has fewer legal controls over guests and tenants who use the pool facilities, it is necessary for Kingstowne to reserve the right to temporarily and even permanently ban guests and tenants from use of the pool facilities. Such decisions shall be made by the Board or Pool Hearing Panel, after investigation of allegations of violations of these rules or other forms of wrongdoing, interview of the parties it deems necessary, and the establishment and performance of other procedures, as deemed fair and appropriate.

IV. ASSUMPTION OF RISK. Notwithstanding the best efforts of the Board, its employees, and its swimming pool management contractor, accidents and/or injuries are common at pool facilities. All members accept the risk when they use the facilities. Members are strongly encouraged to exercise extraordinary care with respect to their activities, including the supervision of minor children, particularly when they enter the pool. In addition, members are encouraged to exercise extraordinary care with respect to their personal property, such as wallets, purses and even motor vehicles and bicycles, as Kingstowne cannot accept any responsibility for their loss. All accidents must be reported to the Lifeguard staff.

V. SEASON DURATION AND HOURS OF OPERATION

- a. Season Duration. The normal season for pool use commences at 10:00 AM on the Saturday of Memorial Day weekend and ends at 8:00 PM on Labor Day. The Board may extend this season duration. In such cases, notice of such an extension will be posted at the pool.
- b. Hours of Operation
 - i. While Fairfax County Schools Are In Regular Session:
Monday through Friday – Noon to 9:00 PM
Saturday, Sunday & Holidays – 10:00 AM to 9:00 PM
 - ii. While Fairfax County Schools Are Out of Session:
Monday through Sunday & Holidays – 10:00 AM to 9:00 PM
 - iii. Special Hours - As posted.

iv. Special Event Usage

1. The Board may open the KROC swimming pool facilities for special use before, during, or after the hours reserved for community events.
2. During these times, the reserved section or the entire pool may be closed for general use. Where feasible, the Board shall ensure notice of such scheduled closure times as early and in as many ways as is reasonably possible.

c. Temporary Closures

- i. Inclement Weather. The pools and pool areas will be cleared by the Facility Manager if, in his/her opinion, a hazardous condition exists or during inclement weather (e.g., thunder, lightning, strong winds, or air temperatures falls below 69 degrees Fahrenheit). Generally, these areas shall remain closed for 30 minutes after the last sight of lightning or sound of thunder. Also, swimming will be halted during heavy rains when lifeguards are unable to clearly see the bottom of the pools. The pool may be closed for the remainder of the day if temperatures do not rise above 69 degrees Fahrenheit.
- ii. Maintenance and Repairs. The pools or facilities may be temporarily closed for routine maintenance or repairs. Notice of such closures will be posted in advance if possible.
- iii. Health Issues. If a pool becomes contaminated by human or animal defecation or vomit, the Fairfax County Health Department directs that the pool facility will be closed for at least six (6) hours to allow for cleanup, super chlorination, and completion of a complete filter (turnover) cycle to ensure removal of all fecal matter or vomit from the pool. During such periods of closure, the pool and pool area shall be cleared of all patrons. The pool may be closed for periods exceeding 12 hours.

VI. USE OF THE POOL

a. Types of Users

- i. Members In Good Standing (or their designated tenants) are entitled to use the swimming pool facilities. The Board may suspend this privilege for members who are 30 days or more delinquent in their assessment payments, until such assessments are paid in full, or for a maximum of 60 days for any other violation of the Declaration, or other duly adopted rules and regulations. Members who lease their dwelling to a tenant(s), assign their tenants with the right to use the community facilities, including the swimming pool and tennis courts. Only tenants of record (signers of a lease) may be designated. Once an owner assigns rights to a tenant, Members are not entitled to the use of the community facilities. Tenants living in multifamily rental units must provide evidence of a current valid lease in order to use the pool.
- ii. Guests. A guest is any person who is invited by a Member, or a member of their family, or designated tenant to use the facilities.

1. A one-time visit guest pass will be required for all guests who use the facilities. No guest fees for infants under 1 year of age shall be charged. Guest passes may be purchased online or by check, credit card or cash at the Business Office. Guest passes are non-transferrable and non-refundable. Crediting of a used guest pass will be applied to weather or health related closures made by the Facility Manager, within an hour of having checked-in.
2. Upon posted notice by the KROC, the Board may restrict or exclude guests on days set aside exclusively for activities by KROC, or at other times as the Board deems it in the best interest of the KROC.

b. Admittance Procedures

- i. Members Or Their Designated Tenants Must Have a Valid Resident Pass including all children (over the age of 1 year) and must properly present their current Resident Pass upon entering the pool facility at the front desk. Resident Passes are the property of Kingstowne and are for the exclusive use of its residents. The passes are not transferable and may be suspended by the Board for violations of the Corporation's legal documents or rules and regulations. See Policy Resolution No. 28 for instructions on how to obtain a Resident Pass.
- ii. Guests Must Be Identified as such and be registered by the sponsoring member upon entering the pool facility. Guest fee procedures, outlined above, must be followed. Guests must be escorted by a member, resident, or authorized caregiver with a valid Resident Pass who is 16 years of age or older. Residents 16 years or older may bring up to six (6) guests per visit with a total of no more than six (6) guests per household per day. Guests will not be admitted to the pool without such escort who is always required to remain at the facility while the guest is present. The conduct of guests is the responsibility of the escort.
- iii. A Child Under 12 Years of Age will not be admitted unless accompanied by a responsible person, at least 16 years of age, who exercises continual supervision over such child. If, in the discretion of the Facility Manager, it does not appear that proper supervision of such child is being provided, then the child's parents or guardians will be notified, and the child and their custodians may be instructed to leave the facility. This includes groups of children containing anyone 11 years old or younger who are admitted to the pool that must have one adult (16 years of age or older) for every group of four (4) or fraction thereof. Exceptions for groups in excess of four (4) children shall be granted to families with four (4) or more children.
- iv. Admittance Refusal
 1. Persons with an obvious skin disease, nasal or ear discharge, inflamed eyes or any communicable disease may not use the pool.
 2. Persons appearing intoxicated or under the influence of drugs or alcohol shall also be refused admittance.

3. The Facility Manager has the authority to refuse admittance to any Owner or guest if, in his/her opinion, sufficient cause exists whereby the health, safety or use of the facilities may be adversely affected. This decision to refuse admittance is final and may only be overturned by the General Manager or the Board.
4. All residents 12 years and older are required to have a photo taken for their Resident Pass. If there is no picture on file for the resident, as required, resident shall be refused admittance.
- v. Bather Load Limits. In overcrowded situations, determined by the regulations of the Fairfax County Health Department specified limits or at the discretion of the Facility Manager, entry to the pool may be refused to comply with such restrictions.

VII. GENERAL RULES. General rules applying to all facilities and grounds are summarized below:

- a. Alcoholic Beverages are not permitted anywhere on pool grounds or facilities, except for KROC sanctioned events.
- b. Drugs are not permitted anywhere on KROC grounds (except those legally prescribed to an individual for medical purposes).
- c. Animals, Fowl or Pets shall not be permitted within the swimming facility. This rule does not apply to service animals.
- d. Trash and Refuse should be placed in the trash containers provided.
- e. Motor Vehicles and Bicycles:
 - i. Parking
 1. Handicapped parking spaces are provided in the parking lot and shall be used only for that purpose.
 2. Vehicles shall be parked in an orderly fashion without obstructing other vehicles or traffic.
 3. Bicycles must be placed in the bicycle racks at the facility. Bicycles may not be ridden inside the pool area.
 - ii. Speed Limit for all vehicles on the premises is 5 MPH, or lower if conditions dictate.
 - iii. Right of Way. Vehicles yield to bicycles. Vehicles and bicycles yield to pedestrians.
 - iv. Horn Blowing is prohibited except to avoid an accident. Individuals on the KROC grounds and facilities may not be summoned by blowing a horn.

- f. Good Neighbors. All members, their families and their guests shall respect the property rights of homeowners adjacent to the pool grounds and facilities.
- g. Community Events. Under special circumstances, the pool grounds and facilities may be used as a site for community events. Only the Board or General Manager can authorize such events. In addition, the Board may open the pool grounds and facilities for community use before, during, or after the hours reserved for general use.
- h. Willful Damage, Destruction, or Unauthorized Removal of KROC's property will be charged to the person responsible. Members are responsible for the actions of their family members and guests. Payment for damages does not ensure that the pool privileges will not be revoked or suspended.
- i. Lost and Found. The pool staff shall maintain a "Lost and Found" location at each pool. Articles found should be turned in at the front desk. Articles not claimed within 30 days will be disposed of at the discretion of the Facility Manager.
- j. Rules Suspension. Under special circumstances, the Board or General Manager can temporarily suspend sections of the operating rules.
- k. Food and Drinks will only be consumed in the designated areas. No glass containers of any kind are permitted within the pool, pool grounds and facilities. Water in plastic or refillable non-glass containers are the exception.
- l. Pool Grounds and Facilities will not be used as a place to operate non-street licensed engine- powered mini-bikes, motor scooters, mopeds, go-carts, model aircraft, or model cars. Big wheels, skateboards, roller blades, skates or similar toys will also not be used on pool grounds and facilities.
- m. Noise Control on the pool grounds and facilities is essential. Managers and lifeguards will control unnecessary noise.
 - i. Loud, Profane, Vulgar, or Abusive Language is not permitted within the pool, pool grounds, or facilities.
 - ii. Personal Audio Players are permitted if used in conjunction with earphones or headsets.
- n. Prompt Departure from the pool, pool grounds, and facilities at closing time is essential so that employees may properly secure for the night and to prevent noise from disturbing the surrounding neighborhood late in the evening.
- o. Access to Pool, Pool Grounds, and Facilities while closed is prohibited except for authorized personnel on KROC business. Violators of this rule will be subject to criminal prosecution.
- p. Rough Play or Conduct endangering the safety of any person is prohibited.
- q. Injuries Will Be Reported Immediately to the Facility Manager and all incidents will be reported to the Business Office and recorded on an incident report and kept on file at both the pool and Business Office.

- r. In An Emergency When Parents of Minors Cannot Be Reached, the Facility Manager is authorized to call for medical attention or ambulance service. All related charges shall be borne by the Owners concerned.

VIII. POOL RULES. The Facility Manager shall have the full authority to enforce all matters relating to the rules, health and safety stated in this document. They are empowered by the Board and have the discretion to eject anyone failing to observe health and safety rules or for improper conduct.

- a. No Person May Use the Pool unless it is officially open, and lifeguard(s) are posted at the lifeguard chair(s).
- b. Lifeguards shall not be distracted while they are on duty.
- c. Cleansing Showers must be taken with soap and water before entering the pool.
- d. Footwear. No person in street shoes shall be allowed on the deck of the swimming pool within five (5) feet of the water except for operating personnel, maintenance personnel, or authorized official conducting pool business.
- e. Glass is not permitted inside the pool area or bathhouse. No glass objects or other sharp, breakable, or otherwise hazardous objects are permitted in the pools or on the decks. Swim masks and goggles must be equipped with safety lenses.
- f. Prohibited Games/Activities:
 - i. Wrestling.
 - ii. Chicken Fights-where individuals are on each other's shoulders.
 - iii. Tossing of objects to individuals entering the pool from the deck area or diving boards is prohibited.
 - iv. Running on the decks is prohibited.
 - v. Boisterous or rough play at the facility is prohibited.
 - vi. Regulated water sports may be permitted at the discretion of the Facility Manager if adequate supervision is being provided.
- g. Gum, Chewing Tobacco, Cigarettes and Cigars are not permitted within the pool areas.
- h. Smoking is prohibited on pool decks, inside the facility and within 25 feet of the facility.
- i. Spitting or Spouting of water or blowing noses, etc., into the pool or onto the pool deck is strictly prohibited.
- j. Swimming Aids are only authorized at the discretion of the Facility Manager.

- k. No Goggles, Flippers, Water Wings or Any Other Floatation Devices shall be worn off the diving board or waterslide. Goggles will be allowed in the other areas of the pool.
- l. Lint Materials. Street clothes, cut-off jeans, loose fitting full body clothing, etc. are not permitted in the pools. All patrons using the pool (including the wading pool) shall wear proper swim attire (bathing suits or religious swimwear).
- m. Instructional Floatation Devices (United States Coast Guard (USCG) approved Life Vests and water wings) may be used at the Facility Manager's discretion and under the direct supervision of a responsible adult.
- n. Tubes and Balls are allowed in the pool under the discretion of the Facility Manager or at a special event.
- o. Lounge Chairs and Tables are available on a first come, first-serve basis. Residents are encouraged to show courtesy to others by utilizing one chair per person.
- p. Rest Period. To prevent over-fatigue a 15-minute "break" or rest period for swimmers will be observed at the pool each hour, except the first and last hour of the day. The first 5-minutes of each break will be for the pool staff to inspect the pool area, and the last 10-minutes of the break the pool can be used only by those wishing to swim laps. The Facility Manager may clear the pool or call additional breaks or rest periods in excess of the standard periods if he or she feels the crowd conditions present an unsafe situation.
- q. Chilled or Overly Tired Swimmers will be required to leave the facility, if directed by the Facility Manager.
- r. Lap Lanes. At the discretion of the Facility Manager, lanes may be set aside for lap swimming, jogging or walking.
- s. Swimming Over or Across Lap Lanes is not permitted. Please respect the use of these lanes by occupants.
- t. Special Control Measures. The Facility Manager has the authority to restrict certain areas of the pools for activities.
- u. Small Objects that are easily lost such as bobby pins, barrettes, etc., clog the filter system and the pumps, and as such are not permitted in the pool.
- v. Flips and Back Dives are not permitted from the sides of the pools.
- w. Pool Entry Ladders. Loitering on or near the pool ladders is prohibited.
- x. No Unauthorized Person is allowed in the electrical or filtration rooms or in the guard office or maintenance areas of the facilities.
- y. Fairfax County Swimming Pool Ordinance and Directives supersede these rules to the extent applicable if there is any discrepancy between them.

z. Qualifications for Use of the Main Pool. At the discretion of the Facility Manager, any person in any area of the main pool over chest-deep water may be requested to demonstrate swimming proficiency to use such areas.

i. Swimming Proficiency is defined as:

1. The ability to swim two full widths of the deep end of the main pool with no rest period; and,
2. The ability to tread water in the deep end for one minute.

ii. A Child Who is a Non-Swimmer is not allowed in the main pool without a supervising person in the water or at the edge of the pool within immediate arms reach of the child. A child using any floatation device must remain within the immediate arms reach of a supervising person 16 years of age or older.

iii. Children Three and Under will not be allowed in the main pool at any time unless accompanied and within the immediate arms reach of an adult (16 or older).

aa. Wading Pool

i. No Lifeguards are Posted at the Wading Pool. Supervision of children at the wading pool is the responsibility of the parent or escort. Children shall not be left unattended in this area and parents, or escorts must remain within the fenced wading pool area with their children.

ii. Children in the Wading Pool Area must be supervised by a responsible person 16 years of age or older.

iii. Sanitary Requirements. Children not completely toilet trained must wear "swim diapers," or tight fitting heavy rubberized training pants over cloth diapers. No regular disposable diapers are allowed in the pools.

iv. Toddlers Without Swimsuits are not allowed in the pools.

v. The Maximum Age for admission to the wading pool is 6 years of age.

vi. Children Left Unattended in the wading pool shall be subject to immediate removal from the wading pool by the pool management company. A written report by the Facility Manager directed to the General Manager and Board shall be prepared detailing the particulars of such circumstances. The Board shall take whatever action deemed necessary in the interest of safety and welfare.

bb. Diving Area

i. Only one person may be on the diving board or slide at a time.

ii. No diving is allowed in the diving areas except from the diving boards.

iii. Only one bounce on the board is permitted.

- iv. Divers must swim out of the diving area immediately after surfacing.
- v. No diving is permitted until the previous diver or slider has visibly cleared the area.
- vi. Divers must dive straight off the end of the diving board.
- vii. The diving areas shall remain open only for diving during the general swimming hours and shall not be opened for swimming during said times, except at the discretion of the Facility Manager.
- viii. All divers must enter the water and swim to the ladders unassisted. Under no circumstances shall anyone "catch" or assist others going off the diving board.

IX. SWIM LESSONS. Swimming lessons are available.

- a. Inquiries concerning group swim lessons should be directed to the Facility Manager. The times and fees for such group lessons shall be posted. All registrants for group swimming lessons must be prescreened by the Facility Manager or designate for placement into the proper classes and payment for enrollment must be made at the time of screening.
- b. Private swimming lessons are available from individual lifeguard staff. The fees for such lessons are negotiated with and paid directly to the instructor.

EFFECTIVE DATE OF RESOLUTION

The policy was approved on this 2nd day of Mar 2022 by the Kingstowne Residential Owners Corporation Board of Trustees.



Michael Lamarche, President
Board of Trustees
Kingstowne Residential Owners Corporation

Policy Name	Number	Approved	Revised
Swimming Pool Rules	10	March 2, 2022	
Swimming Pool Rules	10		June 6, 2019
Swimming Pool Rules	10		March 6, 2019
Swimming Pool Rules	10		September 7, 2016
Swimming Pool Rules	10		February 3, 2016
Swimming Pool Rules	10		March 4, 2015
Swimming Pool Rules	10		November 7, 2012
Swimming Pool Rules	10		April 1, 1995
Swimming Pool Rules	10	May 9, 1993	