

2015 Braddock Heights Pool Membership Policies

BHCA, Inc., owner of the park and pool at Braddock Heights, is responsible for overall management and maintenance of those facilities for use by the community. Day-to-day operations of the pool are managed by a private company under contract to BHCA, Inc. These policies govern the operation of the Braddock Heights Pool.

1. Safety

1.1. Lifeguard and Parent/Caregiver Responsibilities

It is our goal to provide an environment in which members and their guests can enjoy the Braddock Heights pool safely. Pool staff and Parents/Caregivers must work together to ensure that children and non-swimmers have a safe and enjoyable experience at the pool.

1.2. Lifeguards

During all hours of operation, the pool is staffed by lifeguards who are trained in CPR, first aid and handling emergencies and know the pool policies. These lifeguards have the responsibility for enforcing pool policies and responding to emergencies.

1.3. Parents/Caregivers

Each non-swimmer who enters the pool must be accompanied in the pool by a member or guest 18 years of age or older who is responsible for the non-swimmer. Each child under 14 years of age anywhere on pool property must be accompanied by a member or guest 18 years of age or older who is responsible for the child. The responsible person may be a parent, daycare provider, sibling or other adult (referred to in these policies as "Parent/Caregiver"). Parents/Caregivers are critical to maintaining a safe environment at the pool, and must be responsible for the non-swimmers and/or children they are accompanying.

- (a) Parents/Caregivers have the responsibility to ensure their children are supervised at all times while on the pool grounds. Accidents are preventable. The most important role for Parents/Caregivers is to stay vigilant, and never let their children out of sight. It is never acceptable for a child or non-swimmer to be in the pool without being under the active supervision of that person's Parent/Caregiver.
- (b) We recommend that all Parents/Caregivers explain pool policies simply to children in their care. A few gentle reminders of the consequences for breaking the pool policies will go a long way toward ensuring a safe summer.
- (c) Never rely on flotation devices to keep children safe
- (d) Teach your children never to go in the water unless you are actively watching them
- (e) Always remember that all water, even shallow water, is potentially hazardous to children
- (f) A Parent/Caregiver is not permitted to be responsible for more than five children or non-swimmers at any one time.
- (g) A person who is a "Daycare provider" member may only use the pool if accompanied by one of the primary members of the membership with which the daycare provider is associated.

2. Membership

2.1. Generally

Each pool membership is issued to an individual (the "Primary Member"), annually upon receipt of a Complete Application (defined in Section 2.7). A Primary Member may add Family Members to his or her pool membership. "Family Members" are individuals who live with the Primary Member permanently in a single household. The

BHCA reserves the right to require proof of residence such as driver's license or voter's card to be submitted with the pool application.

Memberships will be granted upon receipt of a complete membership application, supplemental documentation where required, current Primary Member and Family Member photos, and full payment.

During the early-bird registration period, existing pool members are given priority for joining the active pool roster in any given year.

2.2. Initiation Fee

A one-time initiation fee is required for any new membership. The initiation fee is payable only once and does not oblige the member to pay the annual fee in any given year.

2.3. Annual Dues

- a) All pool members must be members of the Braddock Heights Community Association ("BHCA") and must pay the BHCA annual dues.
- b) For each year that a member wishes use the pool, the member must pay annual pool dues pursuant to the dues schedule. The dues payable for a membership are determined by the date upon which a Complete Application (defined in Section 2.7) is received by the BHCA.
- c) A Complete Application (defined in Section 2.7) must be received by the BHCA for a pool membership to be issued.
- d) Any dues not fully paid by April 1 are subject to late fees determined by the BHCA.
- e) By paying the dues each year, the pool members acknowledge that they have read, understood and agree to abide by the Pool policies.

2.4. Transfer of Membership Prohibited

Each membership is permanently associated with the named Primary Member. Other than as stated in subsection a below, a membership cannot be transferred from one Primary Member to another under any circumstances. With the consent of both spouses, a primary membership may be transferred from one spouse to another at any time and at no cost.

2.5. Photos

Along with payment of annual dues, each Primary Member and Family Members included in the membership must submit a current photo each year to be used in the sign-in book.

2.6. Wait List

Anyone desiring to become a member of the pool before it is known whether there are openings may join a wait list. Joining the wait list requires payment of a nominal, non-refundable fee, which will be applied to applicable fees when a space becomes available. The wait list fee is \$25.00. If a wait listed person declines an offered membership for three consecutive years, the person is removed from the wait list and the \$25.00 is forfeited.

2.7 Complete Application

A membership will be issued only upon receipt of a "Complete Application" (if mailed, the mailed document(s) are deemed "received" on the postmark date). A Complete Application consists of the following:

- a) A completed application form
- b) Acceptable photo(s) of each person identified on the membership application
- c) Full payment, as determined by the date on which all of the elements of a Complete Application are received by the BHCA

Submission of an incomplete application will not hold a spot for the applicant and will not lock in the membership dues. Dues amount and issuance of a membership are determined by the date on which the last component of a Complete Application is received.

2.8 Membership Limit

The BHCA determines the maximum number of memberships permitted for any given year. Once the membership limit has been reached (i.e. when the number of Complete Applications received equals the number of maximum memberships allowed as determined by the BHCA), no additional memberships will be issued for that year.

3. Guests/Guest Passes

Individuals who are not pool members may use the pool if accompanied pool member.

- a) Each guest must pay the guest fee established by the BHCA.
- b) The pool member must stay at the pool while hosting a guest(s).
- c) Guest passes are non-refundable and are valid only for the season in which they are issued.
- d) At any one time, each member may be accompanied by up to a maximum of ten guests, subject to the Parent/Caregiver to child/non-swimmer ratio defined in Section 1.3(f).

4. Schedule/Usage

4.1. General Hours of Operation

The pool opens on the Saturday of Memorial Day weekend and closes for the season on Labor Day. Pool hours are generally 11:00 a.m. until 8:00 p.m., seven days a week, Unscheduled or emergency closings may occur due to weather, contamination, or other circumstances, at the discretion of pool management.

4.2. Admittance

- a) Each member must sign the sign-in book before entering the pool deck area.
- b) Each guest must be accompanied by a member.

4.3. Swim Team

During a portion of the summer, the Braddock Heights swim team may practice at the pool. In the event that practices take place during normal pool hours, at least one lap lane will be reserved for members and guests. The sliding board may be closed during swim team practices.

5. Pool Policies

- a) All persons shall obey the instructions of the lifeguards.
- b) No persons shall use the pool unless it is officially open and lifeguards are on duty. Unauthorized use of the pool after hours will constitute a trespass and all violators may be subject to prosecution.
- c) Persons must stay clear of the guard stations.
- d) All persons are required to wear a bathing suit that is appropriate for a family environment. Improvised outfits, belts, cutoffs and Bermuda shorts are examples of unsuitable swimwear.
- e) Glass containers are prohibited.

- f) Wheelies, shoes with embedded wheels, roller skates and skateboards are not permitted on the pool decking.
- g) Any radio, portable CD player, etc. that is brought to the pool may be used only with headphones.
- h) No pets are permitted in the pool facility with the exception of service dogs, e.g., seeing-eye dogs.
- i) The use of kickboards, noodles, balls, water wings or any water toys will be at the discretion of the lifeguards and based on the size and character of the crowd and with regard for the safety of pool members. The use of rafts or inner tubes is prohibited.
- j) Chairs on the pool deck may be moved, but may not be rearranged for any use other than sitting. Chairs may not be placed in the baby pool.
- k) Wheeled vehicles (bicycles, skateboards, etc.) and playpens are not permitted in the pool area. Exceptions include wheelchairs and strollers. Bicycles are to be kept off the access ways to the pools.
- l) The BHCA is not responsible for items left at pools. Items found and turned into the pool office will be held for no longer than 30 days.
- m) Profane language is not permitted on the premises.
- n) Food is permitted on the pool deck only. Food/beverage containers must be plastic or metal only. Glass containers are not permitted in the pool enclosure. All refuse must be placed in containers provided.
- o) Chewing gum is not permitted on the premises.
- p) Alcoholic beverages are not permitted on the premises.
- q) Smoking is not permitted on the premises.
- r) The lap lane areas are generally reserved for lap swimming only, but may sometimes be used in conjunction with BHCA-sanctioned swim lessons at the discretion of the lifeguards.
- s) Diving in the shallow end of the pool or into crowds is prohibited.
- t) Running, pushing, dunking, rough play, standing or sitting on another's shoulders, somersaults and other dangerous actions in the pool or from the pool edge are all prohibited.
- u) Standing on the tables or chairs is prohibited.
- v) Persons unable to demonstrate to the lifeguards an ability to swim without the use of a flotation device must be accompanied in the pool by a member or guest 18 years of age or older who is responsible for the non-swimmer.. Upon request, the lifeguards will administer a test to assess the capability of any child.
- w) The BHCA, Inc. and the Braddock Heights Pool are not responsible for damage to or loss of personal property of members using the pool

6. Health

- a) Maryland and Frederick County health regulations dictate that pools must be closed, super-chlorinated and cleaned when contaminated with human waste. It is the responsibility of members to attend to their children accordingly to avoid closure of the pool.

Due to health department regulations, the pool must be closed for 16 hours following fecal contamination.

- b) The pools will be closed and cleared under the authority of the pool manager when electrical or thunderstorms are in the area. Any person who refuses to leave the pool when asked to do so by pool

personnel will be subject to suspension of pool privileges and their membership fee can be forfeited for that season. Per Frederick County Health Department policies, the pool must remain closed for at least 30 minutes following the last clap of thunder and 60 minutes for a bolt of lightning.

- c) Individuals with inflamed eyes, colds, open sores, bandages, diarrhea or any communicable disease may not use the pool.
- d) A fifteen-minute break period will be observed each hour of operation. At the beginning of the break period all individuals under 18 years old are required to clear the entire pool, including the diving well and the baby pool, except that an adult participating in adult swim in the main pool only may be accompanied by a child 5 years of age or younger.
- e) Spitting and spouting of water or similar unsanitary actions are not permitted.
- f) Parent/Caregivers are responsible for ensuring that the children in their care use the bathroom frequently enough to prevent fecal contamination or urination in the pool.
- g) Diapers may only be changed at one of the diaper-changing stations located inside the pool bathrooms. Under no circumstances may diapers be changed on the pool deck or grass area.

7. Diving Area

- a) Diving board use is limited to persons who have the ability to swim without flotation devices
- b) Only one person at a time is allowed on the diving board.
- c) Users must delay a dive until the preceding diver is at the ladder.
- d) Repeated bouncing or other dangerous actions on the diving board are prohibited.
- e) General swimming in the diving area is prohibited. Divers must swim directly out of the area after each dive.
- f) Flotation devices, noodles or other pool toys are prohibited in the diving area

8. Slide

- a) Slide use may be prohibited at the discretion of the lifeguards when the pool is overcrowded.
- b) Users of the slide must slide down feet first.
- c) Only one person at a time is allowed at the top of the ladder.
- d) Users must delay sliding down the slide until the area is clear of other swimmers.
- e) The slide may not be used by non-swimmers.
- f) Swimmers must swim directly out of the landing area immediately after using the slide and are prohibited from hanging on the bottom of the slide.

9. Baby Pool

- a) Use is restricted to children five years of age and under, and their Parents/Caregivers. Exceptions may be made for siblings of children under five years of age at the lifeguard's discretion.
- b) Children under three years of age must wear appropriate covering such as disposable diapers made specifically for swimming.

- c) Strollers or small baby-carrying devices are permitted in the baby pool area only if space permits and at the discretion of the lifeguards.
- d) Playthings must be limited to small floating and non-breakable items.

10. Policy Enforcement

- a) Any pool member who is caught trespassing will have all pool privileges suspended for an appropriate duration, and police action will be taken as necessary.
- b) Failure to comply with these policies, or any part thereof, shall be sufficient cause for members to be deprived of the use of the pool. The lifeguards or pool manager may suspend privileges for behavior and policy infractions from 30 minutes to 24 hours. All corrective action taken by the pool management staff must be reported on a daily basis to the BHCA. Based on the severity of the infringement, the lifeguard or pool manager may recommend to the BHCA that further corrective action be taken.
- c) The lifeguards or pool manager may suspend a pool member or guest due to behavioral or other problems. Under certain circumstances, suspensions may be sufficient cause for the member to have all pool privileges revoked permanently or for an extended period to be determined by the BHCA on a case-by-case basis.
- d) Any person responsible for fecal contamination, or responsible for a child who causes fecal contamination will be assessed a \$500 fine and possible termination of pool membership.
- e) Any person deliberately damaging pool furniture, equipment or structures, or who is trespassing when a pool is closed will be automatically suspended and police action taken where necessary.
- f) The cost of any and all damages caused by a member or guest must be reimbursed to the BHCA.
- g) If a pool pass is revoked for the season due to a behavioral issue, the membership fee shall be forfeited.
- h) Pool membership and guest passes are the right and property of the BHCA, are not transferable, and may be revoked at any time.

11. Refunds

Pool memberships and guest pass purchases are non-refundable under any circumstances, except that a 100% refund of membership fee will be granted if requested in writing prior to the first day of the pool season.

12. Swim Instructors

The BHCA, Inc. may contract with private companies or individuals who are authorized to give swim lessons at the pool. No unauthorized individuals or companies may offer swim lessons at the pool.

13. Liability Waiver

All persons using the pool do so at their own risk. The BHCA, its board members, pool management and lifeguards assume no responsibility for any accident or injury in connection with the user of the pool or for any loss and/or damage to personal property.

In partial consideration for the privileges of any type of use of the BHCA facilities and/or property including but not limited to membership, lessons and/or swim teams, all members and guests release, waive, discharge and covenant not to sue the BHCA, the BHCA Board or committee members, or other administrators, directors, agents, instructors, and other members or representatives of that organization, or other participants, all of which are hereinafter referred to as "releasees", from demands, losses or damages on account of injury, including death or damage of property, or any other cause or alleged to be caused in whole or in part by the negligence of the releasees, and hereby otherwise

waive and release any and all claims against arising out those activities or any other use of such property, including, but not limited to claims alleging negligence, strict liability, breach of contract.