

Pool Rule Guidelines and Code of Conduct

The Pool Committee and the Board of Directors have developed the following Pool Rule Guidelines and Code of Conduct for the protection of the community and to help ensure that every family can enjoy the pool facilities. All members are expected to comply with all rules and regulations that rule and govern our community. The Home Owners Association accepts no responsibility for loss of money, or loss of or damage to articles belonging to those using the pool facilities.

SWIMMING SEASON:

The pool(s) will open Memorial Day weekend and close Labor Day weekend.

POOL HOURS:

5:00 am 9:00 am **ADULT SWIM only** this time has been allotted for Adults only. The pool will not be open to all residents to swim until 9:00am.

9:00 am 9:00 pm **ALL RESIDENT SWIM** Sunday, Mon. Tues. Wed. and Thurs.

9:00 am 10:00 pm **ALL RESIDENT SWIM** Friday and Saturday only.

POOL ACCESS:

The pool is privately owned by Stoney Creek Estates HOA and **all residents must use their assigned pool key card. Your access card authorizes you to use the pool.** Anyone entering the pool without a pool key card is entering the premises in an unlawful manner and may be arrested for trespassing and or fined.

Unauthorized Entrance: This is defined as anyone accessing the pool using an access card not assigned to you or your family; to include entering the pool without possession or use of the access card, asking or coercing another resident to let you in, lifting your children over the fence or reaching over the fence to let yourself in.

Residents caught letting individual(s) in who do not have an access card will have their access card deactivated for a period of two weeks and will be subject to a \$100.00 fine. Continued violations will result in the entire family losing all pool privileges for the remainder of the season

The pool access rules and guidelines were established for the safety for those swimming at the pool and for the members living in the neighborhood. This prohibits individuals from freely using the pool facility that do not live in our community and/or individuals living in our community who have chosen to not contribute to the pool(s) upkeep and operational expenses.

POOL CLOSING: The Pool Committee Members, Board of Directors and/or Property Management [Haith & Young] have the authority to close the pool at any given time due to weather, maintenance issues, financial burden and/or community misconduct. It may be necessary to close the pool(s) for an extended period of time until the community comes together to resolve the issues at hand.

POOL KEY CARD: You will be assigned one activated pool key card per family and adhere to the proper usage of the pool key card as outlined.

Proper use: The pool key card can only be used by the resident member(s) assigned to that particular pool key card.

Improper use: Improper usage constitutes as someone else using your assigned pool key card other than the resident(s) of record. This would include giving your pool key card to other parties living in or outside the community, unattended guests, outside family members, and individuals you may have staying with you and are not resident of record and/or anyone.

Failure to comply with the proper usage of your assigned pool key card will result in your pool key card being deactivated and/or fine.

FOUND POOL KEY CARDS: Anyone finding a pool key card should return the lost pool key card to a Pool Committee Member, a Board Member, and/or mailed to Young Management Group at 10660 Barkley St, Overland Park, KS 66212.

For a replacement pool card, please contact your property manager, Jake Stauch, at jake@ymginc.com or create a request on the Stoney Creek Website. Replacement pool cards require a payment of \$25 dollars.

GUESTS:

The definition of a guest is an individual who resides outside of our community.

1. **Guest limit** - a household may bring a maximum of 5 guests to the pool at a time. There will be a \$5.00 charge per additional guest. A Resident must accompany their guest at all times.
2. **Children 14 and under are not permitted to bring a guest to the pool without a parent.**
3. **Residents must be 16 or older** in order to bring a guest to the pool.
4. In order to keep the pool available to residents, guest admittance may be restricted at times of heavy usage at the discretion of the Pool Committee Members and/or Board of Directors.
5. **Homeowner members are responsible for the actions of their guests.** Tampering with or defacing pool property or equipment will be charged to the Homeowner.
6. **Community members who choose not to contribute to the upkeep and operational cost associated with maintaining the community and pool facilities may not enter the pool facility as a guest.**
7. **Community members who have had their pool key card deactivated may not enter the pool facilities as a guest.**

DEPENDENTS:

1. **Children under the age of fourteen (14)** are not permitted in the pool unless accompanied by an adult. (For this rule, a "responsible adult" shall be defined as a parent, legal guardian, relative or caregiver who is eighteen (18) years old or older).
2. **Children age fourteen (14) and older** are permitted in the pool without being accompanied by an adult. They are not permitted to bring guest(s) unless they are accompanied by an adult.

ENFORCEMENT OF RULES:

Violations will be handled on an individual basis after being reviewed by the Board of Directors and/or Pool Committee. The severity of the violation and the number of prior rule violations will all be taken into account. Possible consequences are reprimand fines and/or loss of pool privileges.

Any pool violations requiring a Pool Committee Member, a Board of Director, and/or Haith & Young Property Management agent to call the law enforcement, will result in your pool key being deactivated and a \$200.00 fine will occur.

The Pool Committee, Board of Director(s) and/or Haith & Young Property Management agent has the authority to suspend an individual's pool privileges for the day, week(s), month and/or entire swimming season for any infraction of the pool rules and/or guidelines. Subsequent action may be taken by the Stoney Creek Estates HOA Board of Directors, Pool Committee Members and/or Property Management which may include revoking an individual and/or family pool privileges for any length of time, including the remainder of the pool season and in serious situations into the next swimming season.

The Pool Committee and/or Board of Directors may deal with any unforeseen circumstances not covered by the pool rules. The staff will notify the management agent of any such occurrences.

HEALTH AND SAFETY RULES:

1. This is a private pool with admittance by pool key card only. Giving access to individuals to enter the pool facility without a pool key card will result in a fine of \$100.00 and a two weeks suspension.
2. Giving pool access to individuals who have a pool key card but say it isn't working will result in a \$100.00 fine and a two week suspension.

3. **NO LIFEGUARD ON DUTY.** Users of this pool do so at their own risk. Stoney Creek Estates will not be responsible for any accidents or injury in or around the pool. Use of the pool indicates acceptance of these conditions.
4. **GATE TO REMAIN closed at all times;** according to the law.
5. **Proper swimming attire must be worn in the pool;** e.g., no cut offs allowed, loose threads clog the filter/pump. Regular street attire is not acceptable.
6. **Children age 3 and under that enter the pool shall be required to wear a swim diaper and plastic panties.** Should a child have a fecal incident while not wearing a swim diaper a \$200 fine shall be assessed to the Homeowner so as to meet the contractual agreement entered into our pool maintenance agreement. *Feces accidents require the pool to be shut down for 24 hours. Accidents must be reported immediately to a Pool committee member, Board of Directors and/or Haith & Young, Account manager, Fiona Curtin p913-890-2305. Management reserves the right to charge the resident responsible for any additional costs associated with sanitizing the pool.*
7. **Any person having a skin disease,** nasal or ear discharge, inflamed eye, or other communicable disease shall be excluded from the pool, in accordance with the law.
8. **Glass Containers** are not permitted in or around the pool facility. If broken glass is found in the pool, the pool must be closed, drained, cleaned, and refilled. These costs will be charged to the homeowner responsible.
9. **NO running, pushing, diving, spitting, fighting, horse play, etc...**will be permitted. The Pool Committee, Board of Directors, and/or Property Management has the authority to suspend pool privileges of any individual for the remainder of the day or longer, as the infraction may warrant.
10. **Injuries** occurring on pool property should immediately be reported to our property management, Haith & Management, Account Manager; Fiona Curtin p913-890-2305 and/or email fiona@haith.com.
11. **No one may tamper with** or remove any pool equipment. Tampering with or defacing pool property is prohibited. Property damaged will be charged to the responsible member.
12. **The lifelines and safety equipment at the pool** are for safety purposes only and should not be handled except in an emergency.
13. **Trash and refuse** must be placed in the proper receptacles. No trash or debris is to be thrown in the pool or on surrounding grounds. **Parents with infants are not to leave fecal diapers in the trash for sanitary reasons. Fecal diapers disposed of in the heat can become a health hazard to all concerned. Parents should bring a disposable bag to place refuse in and take with them upon leaving the premise.**
14. **Pool rafts and toys:** If eight or more people are in the pool, floats, rafts or other pool type toys are prohibited. No toys may be brought to the pool that is not constructed for pool activity.
15. **Pool furniture** is not to be place in the pool(s) doing so constitutes defacing of personal property and will result in two weeks suspension and/or fine.
16. **NO Alcoholic** beverages are permit in or around the pool area.
17. **NO pets** are allowed in or around the pool area.
18. **Bikes/Skate Boards** are **NOT** allowed inside the pool fence and must be properly in the common area not blocking the sidewalk.
19. **SMOKING** is not permitted in or around pool area.

GENERAL POOL RULES:

1. **No profanity in pool area.** Please be considerate of others.
2. **Anyone using the pool after hours** may be prosecuted for criminal trespass and/or loss of pool privileges.
3. **Access cards will be deactivated** for unpaid assessments, violation of pool rules, unpaid fines and in other situations as directed by the Board of Directors and/or Pool Committee. Pool Key Card reactivation may take up to 10 business days to reactivate in the system.
4. **Access cards remain the property of the Stoney Creek Estates HOA** and must be shown or surrendered when asked by a Pool Committee Member and/or Board member. All pool members have the right to ask to see a pool key card for member verification whenever an individual is in violation of the rules and guidelines. Refusal to do so will result in a two week suspension and/or fine.
5. **Only authorized persons** are allowed in the pool enclosure and bathrooms when the pool is closed.
6. **All radios** and sound equipment should be accompanied with headsets so as not to disturb other swimming members. Refusal to do so will result in card deactivation and/or fine.

PRIVATE PARTIES:

Private parties may be arranged as long as you meet the qualifying guidelines. There is a \$75 security deposit due at the time of the reservation and a pool rental fee of \$125.00. You **must have** prior approval from the Pool Committee Members, Board of Directors and/or Property Management

Guidelines:

- a. Resident must be in compliance with **all** community rules and regulations.
- b. Resident must have paid their annual HOA on their due date. (residents on back payment plans, delinquent on monthly payment plans, outstanding fines and or fees will not qualify for the private pool parties)
- c. Resident must be at the party at all times
- d. Resident must complete a "Private Party Request Form" (said form must be completed and approved two weeks prior to the selected party date).
- e. Resident will ensure that all guests are informed of the pool rules and will monitor and ensure rule enforcement.
- f. Resident accepts responsibility for all actions of their guests and any damage that may occur during the party.
- g. Maximum time allowed for a party will be **two** hours.
- h. Residents may not request a party during holiday weekends.

The Pool Committee, Board of Directors and/or Property Management has the authority to deny or refuse any resident the privilege to have a private party based on factors such as past conduct at the pool, time requested, and pool usage.

WADING POOL USE:

1. **The wading pool** is for the use of children under the age of six (6).
2. **Children using the wading pool** must be supervised at all times by an adult.
3. **Children not toilet trained** must wear swim wear diapers or rubber pants under their swimsuits. Disposable diapers are not acceptable.
4. **Small pool type toys** are permitted in the wading pool.

SEVERE WEATHER:

The pool may be closed and the pool and deck cleared under the following conditions:

1. **Lightning and/or Thunder**
2. **Hail or rain showers** that inhibit clear observation of the bottom of the pool.
3. **Any other climatic conditions** that may endanger pool users.
4. **If the storm occurs after 7:30 pm**, the pool may be closed for the rest of the day.