

SULLY STATION II COMMUNITY ASSOCIATION

POLICY RESOLUTION NO. 11

Use of Common Areas: Swimming Pool Policy

relating to Rules and Regulations for Pool Usage

(Originally adopted 06/19/1991, revised 04/16/1997, 07/24/2001,04/20/2009, 08/27/2015,
04/26/2018, and 02/27/2020)

WHEREAS, Article VI, Section 8 of the Bylaws of the Sully Station II Community Association (henceforth referred to as the “Association”) states that “the Board of Trustees shall have all powers for the conduct of the affairs of the Association which are enabled by law, the Declaration and Articles of Incorporation which are not specifically reserved to Members [defined as Owners of Lots] or the Developer;” and,

WHEREAS, Article VI, Section 9 (d) of the Bylaws of the Association states that “it shall be the duty of the Board to...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,

WHEREAS, Article IV, Section 3 (b) of the Sully Station II Declaration of Covenants, Conditions and Restrictions addresses “the rights of the Association to suspend the right of an Owner to use the Recreational Facilities for any period during which any assessment against his Lot remains unpaid for more than thirty (30) days after notice until such default has been remedied; the right of the Association to suspend the right of a Member to use the Recreational Facilities for a period not to exceed sixty (60) days for any other infraction of the Governing Documents;” and,

WHEREAS, the Board of Trustees (hereinafter “Board”) deems it necessary and desirable to establish certain rules, procedures and guidelines for the use of the Association swimming pool facilities.

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

I. RIGHT TO USE POOL FACILITIES

- A. All SSIICA Owners and members of their families are entitled to use the swimming pool facility.
- B. A non-resident Owner (Absentee Owner) may retain pool privileges for themselves or transfer their pool privileges to their Tenant by authorizing the Tenants to use the pool facilities.
- C. Owners and Tenants who have their own pool passes may apply for a pool pass for persons who provide care for Owners and/or their family members.
- D. A maximum of fifteen (15) Non-Resident pool passes may be available to non- resident families whose children participate on the Association swim team, as determined by the Board on an annual basis.

- E. The right to use pool facilities may be suspended by the Board for Owners with an assessment against their Lot that remains unpaid for more than thirty (30) days after notice until such default has been remedied. The Board has the right to suspend pool facility privileges for a period not to exceed sixty (60) days for Owners who have outstanding violations of the Architectural Standards and Guidelines or any other infraction of the Governing Documents, including this Swimming Pool Policy. If the Owner's privilege is suspended, the suspension extends to all members of the household, Tenants, Caregivers and Guests of the Living Unit.

II. POOL PASSES

A. Pool Pass

1. A pool pass issued by the Association is required for access to the pool facility for all individuals over five (5) years of age. Pool passes must be renewed each year and will include the individual's name and photograph. Pool passes are the property of the Association and there will be a charge for any replacement pool passes issued as indicated on the current Schedule of Fees. Pool passes are non-transferable.
2. As stated in Section I.E above, pool passes may be suspended by the Board for violation of the Association's legal documents or rules and regulations.
3. The Pool Pass Application form is available on the Association's website and at the Management Office in the Community Center. Completed application forms may be mailed or delivered to the Association Office at: 5501 Sully Park Drive, Centreville, VA 20120, or may be emailed to office@sully2.com.

B. Pool Passes for Owners

1. Pool passes are available at no charge to all Members (Owners) of the Association. In order to obtain a pool pass, Owners must provide proof of residency within the Association and must be in good standing with regards to assessments and violations and be in compliance with the Association's legal documents (see Section I.E above).
2. Upon receipt of a completed application, the Managing Agent will confirm residency and verify eligibility with regard to the status of assessments and violations, and compliance with the Association's legal documents. Once residency and eligibility are confirmed, pool passes with the name and photo of each individual living in the household, ages five (5) years and older, will be generated.

C. Pool Passes for Tenants

1. For each new pool season, Owners must sign the Pool Pass Application Form to transfer pool privileges to their Tenants. The Non-Resident Owner and Tenant can **NOT** both have pool privileges unless the Tenant has paid the Tenant Pool Membership Fee as set forth in the Association Schedule of Fees.
2. To request a pool pass, Tenants must complete the Pool Pass Application, available on the Association's website and at the Community Center. The Pool Pass Application **MUST** be signed by at least one Owner of record (or agent authorized to sign on the Owner's behalf) of the Living Unit where the tenant resides or the Tenant will be required to pay the Tenant Pool Membership Fee. Completed application forms must be delivered to the Association Management Office in the Community Center at 5501 Sully Park Drive, Centreville, VA 20120. Tenants must also provide a copy of their lease, which specifies the length of the term and expiration date of the lease.

3. Upon receipt of a completed application, the Managing Agent will confirm residency, verify that the recorded Owner has signed the Application or the annual Tenant Pool Membership Fee has been received, and verify eligibility of the Owner with regard to the status of assessments and violations, and compliance with the Association's legal documents. Once residency and eligibility are confirmed, Tenant pool passes with the name and photo of each individual living in the household, ages five (5) years and older, will be generated.
4. Tenant pool passes are issued for one pool season. To renew the pool pass, Tenants must provide all of the above documentation and pay the Tenant Pool Membership Fee as designated in the Schedule of Fees.
5. Tenant pool passes are non-refundable and non-transferable.

D. Pool Passes for Caregivers

1. Owners and Tenants who have their own pool passes may apply for a pool pass for persons who provide care for Owners or Tenants and/or their family members by completing the applicable sections of the Pool Pass Application and signing a waiver of liability which releases the Association from any liability. The Caregiver's name and date of birth will be added to the resident's Pool Pass Application. The Caregiver must sign the application.
2. The Pool Pass Application form is available on the Association website and at the Community Center. No additional fee is required for a Caregiver pool pass.
3. Upon receipt of a completed application, the Managing Agent will confirm residency of the Owner or Tenant, verify that the recorded Owner (or Tenant with a valid pool pass) has signed the Application, and verify eligibility of the Owner with regard to the status of assessments and violations, and compliance with the Association's legal documents. Once residency and eligibility are confirmed, the Caregiver pool pass with the name and photo of the Caregiver will be generated.
4. Caregiver Pool Passes expire at the end of the pool season and are non-refundable and non-transferable.

E. Pool Passes for Non-Resident Swim Team Members

1. A maximum of fifteen (15) Non-Resident families whose children participate on the Association swim team may obtain pool passes for family members for a fee as determined by the Board. The Board reserves the right to review the issue of offering non-resident memberships on an annual basis.
2. The Pool Pass Application form is available on the Association website and at the Association Management Office in the Community Center. The completed form and full annual non-resident swim team membership fee will be submitted to the Managing Agent at the Community Center. The applicant must show valid identification demonstrating that they are over eighteen (18) years of age.
3. Once eligibility is confirmed by the Management Agent and the fee received, pool passes with the name and photo of each individual living in the household, ages five (5) years and older, will be generated.
4. Non-Resident Swim Team Pool Passes expire at the end of the pool season and are non-refundable and non-transferable.
5. Pool Passes issued to Non-Resident Swim Team Members may be revoked or suspended by the Board if the holder fails to abide by the rules set forth in this resolution.

F. Guest Passes

1. A guest pass allows for one individual guest visit by a non-member to the Association pool. A guest visit is defined as a single entry on a single date, as selected by the pool member. Upon exiting the pool facilities, the guest pass expires and re-entry is not allowed. Should the pool member and guest wish to return to the Association pool facility, then an additional guest pass will be required to gain re-entry.
2. Guest passes are made available as follows:
 - a. Each Living Unit where either an Owner or a Tenant with a pool pass resides and each household with a Non-Resident Swim Team pool pass will be provided with ten (10) guest passes at the beginning of each pool season. Guest passes are automatically credited to the household account of each Owner, Tenant or Non-Resident. Owners, Tenants and Non-Resident pass holders are responsible for ensuring they have guest passes available for use loaded on their member pool passes. Additional guest passes may be purchased at the Association Management Office in the Community Center only.
 - b. Guest passes are NOT available for purchase at the pool facility.
 - c. Guest passes are non-transferable and non-refundable.
 - d. If the pool pass has been suspended or revoked, the guest passes associated with that account may not be used until pool privileges have been reinstated.
3. Each member is limited to bringing five (5) guests per visit. Members must use a guest pass for each guest 5 years of age or older.
4. An Owner, Tenant or Non-Resident who is 16 years of age or older and who holds a valid pool pass must accompany the guest(s) at all times while in the pool facility. Upon entry to the pool facility, the Owner/Tenant/Non-Resident's facility pass will be scanned by the pool management to deduct the guest pass.
5. Owners, Tenants, and Non-Resident pass holders are responsible for the conduct of their guests.
6. The Board may regulate the number of guests that may be admitted to the pool at any time and the fees, if any, which shall be charged for the admittance of guests.
7. Pool Management has the discretion to restrict guest access when pool use is especially heavy.

III. FEES

All fees herein are established each fiscal year. The fees will be reviewed by the Board as part of the annual budget approval processes and published as a Schedule of Fees. The Schedule of Fees is part of the annually approved budget.

IV. POOL OPERATION

- A. The Association is represented by the Pool Management contractor's managers and lifeguards, who have been instructed in the rules of the pool. Any conflicts shall be addressed with the Pool Manager, or Assistant Manager, who will bring the issue to the Association's Management Agent if it cannot be satisfactorily resolved.

- B. Certified lifeguards will be on duty at all times that the pool is open. They have the authority to use their discretion to enforce the rules to maintain a safe and healthy environment. The Pool Manager is in charge of the pool and is there for the protection of persons using the pool.
- C. The Pool Manager has the authority to ask anyone to leave the pool area for infractions of the rules or when safety is threatened. The Pool Manager may prohibit entry to anyone for up to one week for each violation.

V. GENERAL RULES

- A. Safety is of primary concern to the Association and its members. All persons using the pools do so at their own risk. Association assumes NO responsibility for any accident or injury in connection with such use or for any loss and/or damage to personal property.
- B. All persons using the pools agree to abide by the rules for use of the facility.
- C. A valid pool pass is required at all times for admittance into the SSIICA pool facilities. Pool passes will be scanned each time a member is admitted to the pool facility.
- D. Parents are responsible for the safety and conduct of their minor children.
- E. Holders of pool passes are responsible for the safety and conduct of their guest(s).
- F. All persons shall obey the instructions of the lifeguards. In the event of a dispute, the instructions of the lifeguards or staff will be followed and then the incident will be reported to the Association Management Agent.
- G. Use of the pools may be temporarily suspended for special events, weather conditions, pool contamination, or when other situations dictate, including reaching pool bather load, as defined by the Fairfax County Water Recreation Facilities Ordinance.
- H. The pools shall not be used by any persons, including those holding pool passes, unless the pools are officially open, and lifeguards are on duty. Unauthorized persons found inside the pool enclosure when the pool is closed may lose their privileges and risk prosecution for trespassing.
- I. Persons must stay clear of lifeguard stations at all times and in no way distract on-duty lifeguards. Persons shall not loiter at the check-in desk.
- J. Persons entering the pool are required to wear proper bathing attire. No street clothes, cut-offs, colored shirts or shorts will be allowed in the pool.
- K. Street shoes are prohibited in the pool area.
- L. All persons are required to take a shower prior to entering the pools. Individuals who leave the pool area or its enclosure, shall take a shower prior to returning to the pool.
- M. Audio devices are not permitted in the pool area unless used with ear phones played at a volume that does not disturb others. Personal audio devices must be waterproof, battery operated, and used with headphones.
- N. Profane, foul or abusive language is not permitted in the pool enclosures.
- O. Situations not specifically covered by the established rules shall be handled by Pool Management. Pool Management will inform Association Management of any such occurrences.
- P. Additional rules for special events will be posted at the pools.

VI. SAFETY - POOL FACILITY

- A. Children under twelve (12) years of age must be accompanied and supervised by a responsible person sixteen (16) years of age or older while in the pool area. Lifeguards are prohibited from serving in this capacity.
- B. No child between the ages of twelve (12) and fifteen (15) may come to the pool unaccompanied unless they pass a swim test given by Pool Management personnel. (See Section XII. SWIM TEST below.)
- C. Any person unable to demonstrate to the lifeguards their ability to swim will not be permitted in water deeper than their shoulder height.
- D. A ten (10) minute break will be called at 50 minutes past each hour during which only lap swimming in the pool lap lanes is allowed. During this period, all other swimmers must exit the pool.
- E. Lap lanes are for lap swimming and water-walking only. Hanging or pulling on lane markers is prohibited.
- F. Boisterous and/or rough play, running, pushing, dunking, and wrestling will NOT be permitted in the pool enclosures. Standing or sitting on another person's shoulders is not permitted.
- G. Somersaults, back flips, cannon balls and other careless actions from the pool edges are prohibited. Jumping into the pool from the side of the pool may not be done in close proximity to persons using the pool.
- H. The use of rafts or inner tubes are NOT permitted (except for special events). Street balls (including but not limited to basketballs, footballs, volleyballs, tennis balls) will NOT be permitted on the deck or in the pool at any time. Subject to pool personnel's discretion, soft tubes, soft rafts and inflatable balls will be allowed in the large pool area. Lifeguards shall determine if use of a ball is considered a safety risk and may request they be removed from the pool and/or deck. All other uses of water toys and other play equipment will be determined by the lifeguards.
- I. The ONLY flotation devices allowed in the pools are U.S.C.G. approved devices such as water wings and life vests. An adult must accompany any child wearing a flotation device in the water and remain within arm's reach of the child.
- J. Goggles (those that cover the eyes only) will be allowed in the pool. Masks will be allowed at pool personnel's discretion and only if they are made of safety tempered glass (must be imprinted on the mask).
- K. Subject to the discretion of pool management personnel and upon proof of valid diving certification, pool users may use masks, fins and snorkels in the lap lanes only. Lifeguards shall determine if snorkel use is a safety risk and may request they be removed from the pool.
- L. Absolutely no diving will be permitted in shallow areas 5' or less. Diving will be permitted only in designated areas.
- M. The ramp, steps, and ladders into the main pool are to be used for ingress and egress purposes only. Sitting or playing on the ramp, steps, or the ladders is not permitted.

VII. SAFETY – WADING POOL

- A. The wading pool is limited to use by children 5 years of age or under.
- B. Children using the wading pool are the responsibility of the parent(s) or escort and must be accompanied by an adult.
- C. Children not yet toilet trained are encouraged to use the wading pool rather than the main pool, but regardless **MUST** wear plastic pants and swim diapers (e.g., "Swimmies") under their bathing suits. Disposable or cloth diapers are **NOT ALLOWED**.
- D. Playthings must be limited to small toys made for pools or water and/or floating, and non-breakable items. The use of water toys is subject to the discretion of the Pool Manager and lifeguards.
- E. The **ONLY** flotation devices allowed in the pools are U.S.C.G. approved devices such as water wings and life vests. An adult must accompany any child wearing a flotation device in the water and remain within arm's reach of the child.
- F. Lifeguards shall monitor rule compliance in the wading pool area.

VIII. SAFETY – DIVING AREA/DEEP WATER

- A. Children fifteen (15) years of age or under must pass a swim test to use the diving board. (See section XII, SWIM TEST below.)
- B. Only one person is allowed on a diving board ladder and board at a time.
- C. Swimmers must delay mounting the diving board until the previous swimmer has cleared the diving area.
- D. Consecutive bouncing, racing dives, dives which propel the diver back towards the diving board or other dangerous actions on the diving board are prohibited.
- E. Diving is limited to the forward direction. No diving is permitted off the sides of the diving board.
- F. After a dive the diver must clear the dive area immediately by exiting at the nearest ladder.
- G. Diving from the deck area is prohibited for safety reasons.
- H. Persons unable to demonstrate an ability to swim will not be permitted in the deep end of the pool.
- I. The lifeguards reserve the right, at their discretion, to request any swimmer who appears to be overly tired or uncomfortable in deep water to return to or remain in shallow water (even if the swimmer is an adult or a person who has previously passed the swim test).

IX. SAFETY – WEATHER EMERGENCIES

- A. Pool Management reserves full authority to assess weather-related emergencies and to act accordingly in the best interest of the safety of users of the pool facility. Pool Managers shall assess real-time weather-related situations and make appropriate decisions regarding closing the pools, pool areas, and pool houses for safety purposes.
- B. In the case of thunderstorms or lightning, pools, decks, and bath houses will be entirely vacated, and patrons will be asked to leave the premises. The pools will remain closed until 30 minutes after the last lightning strike or sound of thunder, per the recommendations of the National Lightning and Safety Institute.

- C. Emergency procedures must be observed. Swimmers must leave the pool area immediately upon the signal or request of the Pool Manager and/or pool staff.

X. HEALTH AND SANITATION

- A. Swim privileges shall be refused to all persons having a communicable disease, including, but not limited to colds, coughs, inflamed eyes, or any infection, ear discharge, nasal discharge, open sore, open wound, or wearing of bandages.
- B. No play equipment, play pens or wheeled vehicles (except wheelchairs and strollers) are permitted in pool areas.
- C. No pets are permitted in the pool facility and may not be left unattended or leashed outside the facility. Guide/service dogs are allowed on the deck, but not in the swimming pool.
- D. Spitting, spouting water, blowing the nose, discharging bodily wastes in the pool or any other unhygienic actions are not permitted.
- E. All persons using the pool facilities who are incontinent or not reliably toilet trained must wear swim diapers or other appropriate protection against evacuation and an appropriate bathing suit. All children under five (5) years old must wear a swimsuit diaper or plastic pants and a swim suit regardless of toilet training. Disposable and cloth diapers are prohibited.
- F. Any injuries occurring on pool property should immediately be reported to the Pool Manager where upon emergency personnel may be contacted as conditions warrant.

XI. SMOKING, FOOD, AND BEVERAGES

- A. Smoking, chewing tobacco, e-cigarettes, and chewing gum are prohibited in the pool facility and immediately around the entrance to the pool area and dressing rooms.
- B. Food and drink may only be consumed in designated areas, which are the wooden decks, the gazebo and inside the gated grill area. Food and beverage are prohibited in the dressing rooms. Only beverage contained in plastic bottles or aluminum cans may be consumed on the concrete deck area.
- C. Glass containers and breakable objects are NOT PERMITTED inside pool area enclosure.
- D. During approved special events, food and beverage may be purchased and consumed on the designated concrete deck area.
- E. Alcoholic beverages are prohibited in the pool area during normal operating hours. Any persons seen with an alcoholic beverage in the pool area during normal operating hours will be asked to leave the pool immediately and the violation of this policy will be reported to Association Management. Any persons suspected of being under the influence of alcohol will not be permitted to enter the pool and will be asked to leave the premises. Pool personnel have been instructed to contact the police as needed.
- F. Illegal substances are prohibited. Any persons suspected of being under the influence of drugs will not be permitted to enter the pool and will be asked to leave the premises.
- G. Grills are provided for use with the following conditions:
 - 1. Grills will be operated by adults over the age of 18 only.
 - 2. Grills shall be operated in a safe manner at all times and must remain within the gated grill area, except with prior approval of the Association Management.
 - 3. Grills are operated at the risk of the user and the Association will not be held responsible for any accidents or injuries involving the grills.

4. Grills are provided as a courtesy by the Association and best efforts will be made to ensure there is an adequate supply of propane available, but this is not guaranteed.
 5. Individuals using the grills must supply their own utensils and clean the grills after use.
 6. No grills, hibachis, or other cooking equipment other than those provided by the Association shall be allowed.
- H. All refuse must be placed in appropriate containers that are provided for the purpose of disposing of trash and recyclables.

XII. SWIM TEST

- A. The purpose of the Swim Test is to assess an individual's overall comfort level in the water in addition to swimming proficiency.
- B. The Swim Test is required for:
 1. Children between the ages of twelve (12) and fifteen (15) to come to the pool unaccompanied by a person of 16 years of age or older.
 2. Children fifteen (15) years of age or under to use the diving board or swim in the deep water area without the use of a lifejacket.
- C. Swim Test Requirements: Swimmer must demonstrate ability to swim 25 meters unassisted and tread water unassisted for 60 seconds.
- D. A parent or guardian is required to be present for the test.
- E. The pool management shall maintain a list of all children who pass the swim test and provide a copy to the Association management.

XIII. DISCIPLINARY ACTIONS

- A. The Pool Manager has the authority to ask anyone to leave the pool area for infractions of the rules or when safety is threatened.
- B. Failure to comply with these rules, or any part thereof, shall be considered sufficient cause for Owners, Tenants, Caregivers or Non-Resident Swim Team and/or their guest(s) to be deprived of the use of the pools for up to a one week period by the Pool Manager on duty.
- C. The Pool Manager shall report all such suspensions to the Association Management Agent as soon as possible.
- D. The Management Agent shall inform the Board of the suspension. Any further actions will be determined by the Board and may include requiring the parent or legal guardian of a minor who was suspended to meet with the Board or Management Agent before privileges are reinstated.
- E. More serious violations and/or failure to comply with a suspension order will be addressed following Policy Resolution No. 14, Enforcement.
- F. Any person deliberately damaging pool furniture and/or pool structures or found trespassing after hours will be automatically suspended for a period of no less than 30 days. The Association must be reimbursed for any and all damages incurred from the perpetrator's actions.
- G. Anyone who feels at any time that the pools are not being operated in the interest of the Community should contact the Management Office at 703-266-2020 or via email at office@sully2.com.

XIV. RENTAL OF POOL FACILITIES

- A. The Pool Gazebo and adjacent deck area may be rented for exclusive use of the renting party during or after posted operating hours with prior written agreement made with the Association's Manager.
- B. The applicant will provide a guest list to the Management Agent; the maximum number of guests is forty (40).
- C. Fees will be in accordance with the published Schedule of Fees.
- D. A minimum reservation of two hours is required.
- E. Absolutely no alcohol is permitted at any event.
- F. The applicant is responsible for guest behavior and will agree to abide by this resolution.

Resolution Action Record Follows

**SULLY STATION II COMMUNITY ASSOCIATION
RESOLUTION ACTION RECORD**

Resolution Type: Policy

No.: 11

Use of Common Areas: Swimming Pool Policy

Duly adopted at a regular meeting of the Board of Trustees of Sully Station II Community Association, held February 27, 2020.

Motion by: Bill Perry

Seconded by: Lisa Forester

TRUSTEE	POSITION	YES	NO	ABSTAIN	ABSENT
Karen Hogan	President	X			
Patrick Morris	Vice President				X
Adrian Isaicu	Secretary	X			
Glenn Martin	Treasurer	X			
Bill Perry	Legal Liaison	X			
Gay Ann Schulte	Trustee	X			
Lisa Forester	Trustee	X			

ATTEST:

Secretary

Date

Resolution Effective: March 31, 2020

FILE: Governing Documents, Book of Regulations, Part One – Policy Resolutions.