

POOL POLICY

In accordance with the Bylaws of The Reserve at Tower Oaks Homeowners Association, Inc. (the "**Master Association**") and the Guidelines for the Use of Recreational Facilities (the "**Guidelines**") for The Reserve at Tower Oaks, the Board of Directors has established the following rules and regulations for use of the outdoor pool at The Reserve at Tower Oaks (the "**Community**") to promote the health, safety, welfare, comfort, and convenience of all Members of the Master Association.

I. RIGHT TO USE POOL

A. All Members of the Master Association, and all Occupants of the Living Units in the Community and all Permanent Household Residents (as defined in the Guidelines) are entitled to use the Community swimming pool (the "**Pool**"). This privilege may be suspended by the Board of Directors for Members, Occupants and Permanent Household Residents who are delinquent in their assessment payments or otherwise in default under the governing documents of the Master Association or the Guidelines. Members must designate, in writing, using a form authorized by the Master Association, those Occupants living in the Living Unit who are entitled to use the Pool.

B. Members of the Master Association, as well as Occupants and Permanent Household Residents will be required to use the key fob provided to the Members to access the Pool.

C. Individuals who are at least eighteen (18) years of age and who are caregivers of an eligible Pool user may enter and use the Pool and pool area if the Member is unavailable to escort (e.g., during working hours). A Member must register their caregivers with the Management Agent in advance. The conduct of the Pool users and the caregiver is the responsibility of the Member.

D. Guests must be escorted by an eligible Pool user with a valid key fob who is eighteen (18) years of age or older. Proof of age may be requested. Guests will not be admitted to the Pool without such escort. All guests must register with the Management Agent in advance prior to entering the Pool. The conduct of guests is the responsibility of the Member. See the Guidelines for maximum guest allowance.

II. RULES FOR USE OF THE POOL

A. The Master Association is represented by the Management staff (as defined in the Guidelines) and lifeguards, who have been instructed in the rules of the Pool. Any conflicts shall be addressed with the Management Agent who will bring the issue to the Master Association if it cannot be satisfactorily resolved.

B. Certified lifeguards will be on duty at all times that the Pool is open. The lifeguards will have the authority to use their discretion to enforce the rules to maintain a safe and healthy

environment. The Management Agent is in charge of the Pool and the lifeguards are there for the protection of persons using the Pool. The Management Agent and the lifeguards have the authority to ask anyone to leave the Pool area for infractions of the rules or when safety is threatened.

C. Safety is of primary concern to the Master Association and its Members. All persons using the Pool do so at their own risk and agree to abide by the rules for use of the facility. The Master Association assumes no responsibility for any accident or injury in connection with such use or for any loss or damage to personal property. Members, Occupant and Permanent Household Residents are responsible for the actions of their children and guests.

D. Children under twelve (12) years of age must be accompanied by a responsible person eighteen (18) years of age or older while in the Pool area.

E. No person shall use the Pool facilities unless the Pool is officially open and lifeguards are on duty.

F. All persons shall shower using soap and warm water and thoroughly rinsing off before entering the Pool. Parents shall instruct their children to comply with this requirement.

G. Persons who have obvious infections, colds, lesions, open sores, bandages, etc. will not be allowed in the Pool. Sanitary habits are a responsibility of everyone and anyone displaying improper behavior will be asked to leave the Pool area.

H. Smoking will not be permitted within the Pool areas.

I. Food may be brought into and consumed in the designated eating areas in the Pool area. Persons who consume food are responsible for removing all litter. Chewing of gum is not permitted in the Pool area or in locker rooms or restrooms.

J. Breakable objects, including, without limitation, glass containers, are not permitted in the Pool area.

K. Alcohol and other intoxicants will not be allowed in the Pool area during normal operating hours. Intoxicated persons will not be allowed in the Pool area at any time.

L. Swimmers must wear proper bathing attire. No cut-offs, dungarees or similar attire will be permitted.

M. Persons must stay clear of lifeguard stations at all times.

N. Persons unable to demonstrate an ability to swim will not be permitted in the deep end of the Pool. Persons may be required to pass a swim test administered by a lifeguard.

O. No play equipment, play pens, wheeled vehicles (except wheelchairs, strollers, etc.) are permitted in the Pool area.

P. No pets (except working service dogs) are permitted in the Pool area.

Q. The following may not be used in the Pool:

- (1) Balls not intended for pool use;
- (2) Toys not intended for pool use;
- (3) Inner tubes not intended for pool use;
- (4) Rafts or boats.

Use of any items that are allowable for use in the Pool is subject to the discretion of the lifeguard. Personal items may not be left in the Pool area and may be subject to disposal if unclaimed after one week.

R. Running, pushing, wrestling, dunking, standing or sitting on another's shoulders is prohibited. No screaming, profanity, or other boisterous behavior will be permitted in the Pool area.

S. Swimmers shall remain clear of the ladders except when entering or exiting the Pool.

T. All refuse must be placed in containers provided for this purpose. Keeping the facility clean is everyone's responsibility.

U. Any person who is incontinent, or not fully potty trained must wear appropriate waterproof clothing when entering or being carried into the Pool.

V. The lifeguards reserve the right to enforce a fifteen (15) minute pool break or lap swim or adult swim each hour.

W. The Pool may be closed at the discretion of the lifeguards on duty in case of thunder, lightning, rain, inclement weather or operational breakdown.

X. The use of radios, televisions or similar devices is permitted only when used with headphones.

Y. Reserved use of the Pool facilities shall be permitted for Master Association events sanctioned by the Board of Directors and in accordance with the rules and regulations promulgated by the Board. A Recreational Rental Application must be completed in accordance with the Guidelines.