

Emerald Bay HOA Swimming Pool Policy and Usage Agreement

This document serves as the swimming pool policy for Emerald Bay Homeowners' Association (EBHOA). The information contained herein serves as the governance for pool usage, and must be followed by all Members and their guests at all times. The purpose of this policy is to address health and safety considerations for Members and their guests.

Each Member should take "ownership" of the pool i.e. see that restrictions and rules are to be followed at all times. The pool is here for the enjoyment of all EBHOA Members, their families and their guests. We should work together to have a safe and enjoyable pool and neighborhood.

Eligibility for Pool Usage:

Eligibility is restricted to Members of EBHOA in Good Standing, their immediate family members, and their accompanied guests.

1. "Members of EBHOA" are those individuals who rightfully own property within the Emerald Bay, Emerald Pointe, Patten Place, Emerald Lake, or Brooke Stone neighborhoods. Individuals who currently own and reside in a dwelling within the aforementioned neighborhoods are considered "residents". Non-resident property owners are also members.
2. A Member's immediate family is considered eligible for pool use with the premise that they live in the same household.
3. Member in "Good Standing" is defined as a Member who is current with homeowners' association dues and assessments, or has a Board-approved payment plan and is current with such plan.
4. "Guests" are defined as individuals who are not current Members of EBHOA but are accompanying a Member.
5. Number of guests per membership household at any one time is restricted to six (6) individuals, or one family unit.

Guidelines and Restrictions Relating to Use of the Pool:

1. Young children must be accompanied and supervised by a Member parent or by another responsible adult who is a Member at all times.
2. Members must accompany their guest(s) to the pool and remain with them at all times.
3. Member households must limit the number of guests to six (6) individuals, or one family unit, within the gated pool area.
4. Members may not loan their pool fob to anyone who is not a Member for unaccompanied pool access.
5. Members will be held responsible for the conduct and behavior of their guests while on the EBHOA property.
6. Members will be held responsible for any damage or vandalism incurred by themselves, by members of their household, or by their guests.
7. Only service animals are permitted within the gated pool area. No other pets or animals are allowed within the gated pool area or in the Clubhouse.
8. When dealing with trespassers or intoxicated or disorderly individuals, a Member should contact the Hamilton County Sheriff's Department.
9. No weapons are allowed within the gated pool area.
10. No smoking is allowed within the gated pool area or in the Clubhouse.
11. No bicycles or skateboards are allowed within the gated pool area.
12. No swimming is allowed when the pool is closed. Regular pool hours are Sunday through Saturday, from 7:00 am to 10:00 pm.
13. No swimming is allowed during inclement weather, especially when thunderstorms are threatening.
14. No dunking, pushing, splashing or horseplay is allowed in the pool.
15. No diving is allowed because the pool is too shallow.
16. No running within the gated pool area. No boisterous or rough play is allowed.

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17. No throwing balls or other items against the clubhouse walls or onto the clubhouse roof.
18. Loud music is not allowed. "Loud Music" is defined as that which causes disturbance to one or more persons in the gated pool area.
19. The pool gate must be kept closed at all times after entering or leaving the gated pool area.
20. Conduct which endangers the safety or comfort of others is prohibited.
21. All children under the age of five (5) must be accompanied to the restrooms by a parent or responsible adult.
22. Members and/or their guests are responsible for the disposal of all of their trash into the trash bins in the pool area or in the restrooms.
23. Proper swim attire must be worn in the pool at all times.
24. Anyone with ear, eye, skin, or nasal infections, diarrhea, skin disorders, infectious communicable diseases, open skin lesions or blisters, shall not use the pool. Tennessee State regulations prohibit such people from using public pools (**See: State of Tennessee Regulation: Rule 1200-23-5-.02 (3) c. of Tennessee Department of Health Swimming Pool Regulations below**).
25. Chewing gum and Band-Aids must be deposited in trash cans before entering the pool.
26. Infants or children not toilet trained and incontinent adults must wear swim suit diapers or snug plastic pants under their swim suits. Cloth or disposable diapers are not permitted.
27. Glass containers are not allowed within the gated pool area.
28. Food and drink, in proper containers, are allowed in the pool area. However, BBQ grills and grilling are not allowed within the gated pool area.
29. No food or beverages are allowed in the pool or along the edge of the pool.
30. An emergency phone is located on the clubhouse rear porch.
31. One (1) pool key fob is provided to each household in good standing. There will be a fee for a replacement fob.

Penalties:

Members who do not adhere to the restrictions and rules within this policy statement may have their pool privileges suspended. The penalty for the first offense is up to one-week suspension, for the second violation is up to one-month suspension, and for the third violation is for a longer time period of up to the remainder of the pool season.

Other Items of Concern:

1. Rental of the clubhouse does not include use of the Pool, except as provided by the above described guidelines and restrictions regarding pool guests. The pool will never be closed to other members when an event is taking place in the clubhouse.
2. Lost or found items can be reported to your Board member representative.
3. To report a complaint about the pool, submit the complaint in writing to your Board member representative.

Not all bad pool behavior can be controlled by rules or penalties. It would be best to utilize the Hamilton County Sheriff if dealing with trespassers or intoxicated individuals and disorderly behavior. The Sheriff is trained to deal with these matters.

Water Quality:

In the event that water quality is affected by human waste in the pool, all individuals must exit the pool immediately. A sign, which is kept by the phone, must then be placed over the gate to alert others that the pool is now closed. Promptly contact a member of the Board so that the Pool Technician can begin the purification process.

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State of Tennessee Regulation:

Rule 1200-23-5-.02 (3) c. of Tennessee Department of Health Swimming Pool Regulations states the following:

All patrons or swimmers having a communicable disease or displaying signs and symptoms of a communicable disease which can be transmitted through normal swimming pool use shall be excluded. No person having a communicable disease or displaying signs and symptoms of a communicable disease shall work at any type pool in a function in which there is a likelihood that they would transmit the disease to any other person.

Please sign and return this Agreement in its entirety to:

Emerald Bay Homeowners Association

12796 Emerald Bay Drive

Soddy Daisy, TN 37379

Member Pool Usage Agreement:

I/We, the undersigned, as EBHOA Members understand and hereby agree to all of the above stated Eligibility, Guidelines and Restrictions Relating to Use of the Pool, Penalties, Other Items of Concern, Water Quality, and the State of Tennessee Regulation. I/We further agree to take responsibility for the actions of members of my/our immediate family, and of all of my/our guests. I/We agree to be bound to, and abide by, this Emerald Bay Homeowners Association Swimming Pool Policy and Usage Agreement.

This Agreement is dated _____ 20_____

Signatures of All EBHOA Property Owners are required below (If more than one Owner, All Must Sign)

For: EBHO Member(s)

Property Address _____ Soddy Daisy, TN 37379

Printed Name of Member _____

Signature _____ Date _____

Printed Name of Member _____

Signature _____ Date _____

For: EBHOA

Printed Name of Member _____

Signature _____ Date _____

Fob # assigned: _____ by _____