

## **NEWINGTON COMMUNITY ASSOCIATION 2023 POOL RULES**

These rules for the 2023 pool season have been established by the Newington Community Association Board of Directors, hereafter referred to as NCA, for the safety, protection, and well-being of all members of the community, and their bona fide guests, while using the pool facilities. NCA residents have a responsibility to become familiar with and abide by these rules.

NCA BY-LAWS, ARTICLE IV - PROPERTY RIGHTS: RIGHTS OF ENJOYMENT, Section 1. Each member shall be entitled to the use and enjoyment of the Common Area and facilities as provided in the Declaration. Any member may delegate his rights of enjoyment of the Common Area and facilities to the members of his family, his tenants or contract purchasers, who reside on the property. Such member shall notify the Secretary in writing of the name of any such delegee. The rights and privileges of such delegee are subject to suspension to the same extent as those of the member.

### **DEFINITIONS**

- A. NCA members who are eligible to receive pool passes are defined as either:
  - 1. A person who holds legal title to private property within NCA and all other full-time, permanent residents of that household, provided the respective pool privilege to that property has not been relinquished as defined below; or
  - 2. A person who rents/leases property within NCA and all other full-time, permanent residents of that household provided the owner of that property has delegated his or her pool privileges to the renter/lessee. (As referenced in NCA By-Laws, Article IV.) To qualify under this designation, NCA must be so notified in writing by the property owner.
- B. Adult member = 18 years of age and up. (as of June 1<sup>st</sup> of current year)  
Teen member = 13 - 17 years of age.  
Child member = 3 - 12 years of age.  
Infant member = under the age of 3, no pool pass required.
- C. Responsible person - any individual other than a parent/guardian who accompanies into the pool a child or teen who does not qualify for admission on his or her own merits. See Admission I.
- D. Daily guest - a person sponsored by an NCA adult or teen member for admission to the swimming pool and who is the responsibility of the NCA member. Guests under the age of 16 will need to wear a wrist band until they can pass the swim test to prove their swimming capability. If the guest passes a swim test, they can remove the wristband. If the lifeguards see any guest, regardless of age, who appears to have insufficient swimming skills, they will be required to wear a wristband and stay out of water over their heads.
- E. Pool facility - the bathhouse, pool, concrete deck, and grass enclosure, inclusive.
- F. Injury - any wound that requires first aid.

- G. Pool Manager - that person designated by the contractor and approved by NCA to supervise the operation of the pool during the pool season.
- H. Annual Guest pass - A pass issued to a household that has only one NCA adult member.
- I. Daily Guest Credit - A credit for either a single or multiple daily admission to the swimming pool. Only NCA ADULT members may purchase guest credits. Guest credits can be purchased only with an NCA member's check or money order, NOT CASH. A single admission guest credit costs \$3.00, and may be purchased from the pool staff at time of entrance. Multiple entry guest credits may be purchased from the Community Manager at a cost of \$18.00 for 7 entries or \$30.00 for 15 entries. Multiple entry credits not used during the current swimming season will carry over until completely used.
- J. Guest Credit Procedures - All Guest credits shall be reconciled by closing time each day. The daily log will balance. All daily guest credits will be maintained by the Pool Manager. Credits for guest fees will be applied to the guest credits card in the event weather prevents guests from using the pool less than two hours on a given day. Upon request from resident, Management may transfer unused guest credits to another resident's account in the year they were purchased. Transfer is not allowed for free credits and previous year credits.
- K. Party - a group of 10 or more guests. This does not include NCA residents with validated pool passes. For example, a family of five with validated pool passes brings five guests; this is not a party. The 10 guest limit is per address or lot number. In addition, there must be one adult for every 4 guests under the age of 12. Parties will follow the rules as defined in the Parties and Private Pool Parties section.

## **REGISTRATION**

- A. Registration for, and pick up of, pool passes and credits is through the NCA community office, NOT the lifeguards. All NCA members must comply with the registration procedures published on the registration card and in the NCA Newsletter. Valid identification showing an NCA address is required for every adult listed on the pool registration. There is a \$20 processing fee for any registrations received after the published date (see March newsletter).
- B. If owners owe money to NCA, neither they nor their tenants will be issued pool passes or credits. Residents who submit payments to alleviate any outstanding NCA debt are subject to a delay in receiving their pool passes until checks clear or electronic verification is confirmed by the NCA office and the NCA financial management contractor. This can take up to 10 business days to complete. In addition, owners or tenants who fail to maintain a paid-up status during the pool season will have their pool privileges revoked.
- C. If the prior year's passes have not expired but have been lost, there is a Lost Pass fee of \$10 per pass.

## **ADMISSION**

- A. Entry to the pool will be denied without valid 2023 pool passes issued by the community office. Passes may be picked up during regular, posted office hours or during special designated times for pick up. Only adult NCA members may pick up validated pool passes.

- B. If passes are lost during the season, no pool access will be allowed until passes are reissued, which may take a minimum of five (5) business days to process. See section on Registration for applicable fees.
- C. All members and guests must sign in at the front desk prior to entering the pool facility. All children must be signed in, including infants, to maintain an accurate record of pool usage. Pool Management will review each entry in the log book at the time of entry.
- D. NCA members must give their pool passes to the pool staff member on duty in the office and wait until admittance is authorized. Only the pool staff may return pool passes.
- E. An adult member, teen member, or responsible person must accompany all children 12 years of age and younger.
- F. A teen member with a pool pass and that can pass a swim test, may enter on their own. However, all patrons under the age of 16 who have not passed their swim test must be accompanied by a parent, guardian, or responsible person.
- G. Only NCA adult members and teen members who have passed the swim test may sponsor guests. However, teen members may sponsor no more than two persons (residents or guests) at any given time.
- H. Babysitters (other than full-time, live-in help), house guests, and non-resident relatives are not eligible to receive an NCA pool pass. NCA adult members may provide a letter to the Pool Manager authorizing adult house guests to use the pool without their presence. The letter must list the name(s) of their ADULT guest(s) who will be using the pool and the specific dates. The adult guest must use guest credits and abide by the pool rules.
- I. NCA adult members may provide a letter to the Pool Manager authorizing babysitters or non-resident relatives to be a Responsible Person to accompany their child members or teen members who do not qualify for admission on their own merits. Guest credits must be used. The same process will be required if there are non-member children with the adult guest(s). The names(s) must be listed on the letter, guest credits will be required for each non-member, and they will have to abide by the pool rules.

#### **AUTHORITY AND RESPONSIBILITY**

- A. The Pool Manager has full authority and responsibility for the operation of the pool facility and is directly responsible to the NCA Board of Directors, Community Manager and Pool Committee Liaison. The Pool Manager's responsibilities include, but are not limited to:
  - 1. Maintenance of order.
  - 2. Cleanliness of the pool facility.
  - 3. Supervision of the operating staff.
  - 4. Enforcement of pool rules.
  - 5. Gate control including admission of members and registration of guests.
  - 6. The scheduling and supervision of after-hour events.
  - 7. Suspending operation of the pool because of unsafe or unsanitary conditions.
  - 8. Refusing admission to any individual whom the Pool Manager deems to be intoxicated, who does not have a valid 2023 pass or who otherwise may be a liability to the safety of

him or herself or others. If such a person, after being refused admission, enters the pool or pool enclosure, the Pool Manager shall notify the police.

- B. Members must submit all complaints in writing, using the NCA form that is available at the pool office.
- C. NCA members are responsible for their behavior and that of their guests. This responsibility includes, but is not limited to:
  - 1. Complying with these pool rules.
  - 2. Cooperating and complying with the instructions issued by the Pool Manager and his or her representatives (lifeguards).
  - 3. Notifying the Pool Manager of safety or health hazards that require correction. If prompt corrective action is not effective, the NCA Community Manager should be informed.
  - 4. Registering and supervising guests while they are in the pool facility.
- D. Pool privileges may be suspended for NCA members and/or guests if they fail to follow pool rules. The Pool Manager or Community Manager may suspend an individual for the remainder of the swimming day or up to 72 hours for rule infractions. The Pool Manager must notify the Community Manager within 24 hours of all suspensions of more than one day. The NCA Community Manager will notify the responsible parent or NCA member and the Board of any suspensions of a child or teen (under age 18) of more than one day.

Suspensions can exceed 72 hours. The Community Manager will notify the adult member of the appropriate NCA Lot and notify the Board of Directors of any infractions that warrant consideration of a suspension beyond 72 hours. The Board of Directors will act at the next scheduled Board meeting on all recommended suspensions, including revocation of pool privileges for the season. Revocation of pool privileges can extend into the next pool season for infractions that occur in the last 30 days of the current pool season.

If a member believes that he/she was unjustly penalized for an infraction of the rules, he/she can immediately appeal in writing to the Community Manager or to the NCA Board. An appeal hearing between the NCA Board and parties involved will be held if necessary.

- E. Lifeguards have authority to open and close diving boards. When boards are open, the diving board rules must be followed.

## **GENERAL INFORMATION**

- A. The pool facilities are to be used only during normal operating hours. Swimming is prohibited except when the Pool Manager has posted lifeguards.
- B. The last 15 minutes of each hour shall be designated as a rest period. Only persons 16 years of age and older may swim during such periods. All others must sit or lie down away from the edge of the pool with their feet out of the water. Anyone who does not abide by the rest period may, at the discretion of the lifeguard, be required to complete one 15-minute rest period prior to entry into the pool.
- C. A lap lane will be provided at all times. The lap lane is to be used for lap swimming only.

- D. NCA members and their guests must not block the entrance to the pool office and are not permitted in the area behind the check-in desk. The pool office is only for the Pool Manager, lifeguards, and any other individuals authorized by the NCA Board of Directors.
- E. The playing of personal radios and/or portable stereo systems is permitted only when used with earphones, except lifeguards may use a radio in the pool office to listen for weather advisories.
- F. All members and guests are required to respect the property rights of residents who live in the immediate vicinity of the swimming pool.
- G. Any use of the pool grounds for an event not described in these rules is prohibited unless written consent is provided by the NCA Board.
- H. Pets are not permitted in the pool facility, nor should pets be left unattended in the vicinity of the pool. Service animals will be considered for access to the pool deck, not water, based on proof of designation. Approval must be obtained from the community office in advance.
- I. Profanity, excessive yelling, and screaming in the pool facility are prohibited.
- J. The pool may be closed by the Pool Manager (or staff in the Manager's absence) and the pool and deck cleared if, in their opinion, a hazardous condition exists such as thunder, lightning, or strong winds. Generally, these areas will remain closed for 30 minutes after the last sound of thunder or sight of lightning. Also, swimming will be halted during heavy rains when lifeguards are unable to clearly see the bottom of the pools.

### **SWIM TESTS**

- A. Swim tests will be administered by a member of the pool staff during the rest period.  
Swim test requirements:
  - 1. Enter the deep end of the pool feet first.
  - 2. Swim one length of the pool without stopping or touching the wall.
  - 3. Jump off the diving board feet first.
  - 4. Recover to stomach floating position.
  - 5. Tread water continuously for 1 minute.
  - 6. Swim an uninterrupted lap across the diving bay.
- B. Teen members, 13 years and older, may be admitted to the pool unaccompanied if they can pass the swim test.
- C. Children 12 years of age and younger must pass the swim test and have their pool pass stamped to enter the deep end of the pool.

### **WADING POOL**

ONLY children 5 years or under are permitted in the wading pool. WATERPROOF PANTS MUST BE WORN OVER ALL DIAPERS. Children must be under constant supervision by their respective parent, guardian, or responsible person in this area. Small flotation devices are allowed.

## **HYGIENE**

- A. Individuals having inflamed eyes, open sores, or infections will not be permitted in the pool. Open wounds must be covered.
- B. All persons attired to swim must take a cleansing shower prior to exiting the shower room onto the pool deck and after using the toilet.
- C. Spouting of water or similar non-hygienic actions is prohibited.
- D. Refuse shall be placed in containers provided.
- E. Baby diapers shall be changed only in the rest room and disposed of in a plastic bag and put in a trash can.
- F. No food, ice cream, or chewing gum is allowed on the concrete deck or in the pool. Eating is restricted to the grassy area. Drinks in non-glass containers may be consumed on the concrete deck and grassy area.
- G. Swimwear must be worn to enter either the wading or main pool. Street clothes are not allowed.

## **SAFETY**

- A. Everyone must stand clear of the guard stands and neither converse nor otherwise distract the lifeguards when on duty.
- B. No glass containers are permitted anywhere within the pool facility, including the grassy area.
- C. Smoking is allowed in designated area only.
- D. Alcoholic beverages and illegal drugs are prohibited in the pool facility.
- E. The only wheeled vehicles permitted within the pool facility are strollers, carriages, and wheelchairs for the handicapped. All vehicles must have parking brakes in working order. These vehicles must have brakes set when parked. Bikes, skateboards, in-line skates, etc., are not permitted within the pool facility.
- F. Only pool toys are allowed. No footballs, frisbees, or other athletic equipment is permitted in the pool or on the deck. Use of any toys in a manner that is disruptive to other swimmers is not allowed. During non-peak hours and at the discretion of the Pool Manager, beach balls, air mattresses, inner tubes, and similar devices may be permitted in the pool, but they are never allowed in the lap lane or deep end.
- G. Jumping on top of or dunking other swimmers is prohibited.
- H. Running, pushing, rough play, towel snapping, or other dangerous actions are prohibited.
- I. Diving Board Rules:
  - 1. Only forward or front dives off the board are permitted.
  - 2. Running on the board is prohibited.

3. Only one jump, spring, or bounce is allowed per dive.
  4. Divers must wait for the diving bay to be cleared before starting their dive.
  5. Only one person at a time is allowed on the diving board, including the ladder thereto.
- J. Leather sole shoes are not permitted on the concrete deck.
- K. Guests must be able to pass a swim test to be in water over their heads.
- L. At the discretion of the lifeguards, anyone who appears to have insufficient swimming skills will be required to wear a wristband and may be required to take a swim test in order to be in water over their head.

### **TRESPASSING AND VANDALISM**

The use of the pool grounds for an event not described in the rules is prohibited unless written consent is provided by the NCA Board.

The NCA Board has the right to suspend the pool privileges or take other actions against anyone involved in vandalism or trespassing at the pool facility, or at any other NCA common ground facility.

### **SUGGESTIONS**

Suggestions on pool operations should be submitted in writing to the Community Manager.

### **PARTIES AND PRIVATE POOL PARTIES**

#### **A) General Requirements**

- a) There are two kinds of pool parties: during regular pool hours and after hours. The following general requirements apply to both types of parties.
- b) Parties must be approved by the NCA Community Manager 7 days in advance of the party.
- c) The Pool Party Sponsor must remain present at the party at all times.
- d) The Pool Party Sponsor must ensure that all party attendees, both NCA residents and guests, are aware of and abide by the NCA Pool Rules.
- e) Any pool furniture that is moved must be returned to its original position at the end of the party.
- f) All trash must be disposed of properly.
- g) Requests to open the pool gate to bring in party supplies will be considered on a case-by-case basis. If the request is approved, all persons allowed inside the gate must first be checked in at the guard's desk. Then all the party supplies must be brought to the gate before the gate will be unlocked. The supplies must be carried inside the fence and the gate immediately re-locked.
- h) No personal grills may be brought into the pool area.

#### **B) Reserving the Pool for a Party**

To reserve the NCA pool for a party either during regular pool hours or after hours, the NCA member or his designee must complete a Pool Party Reservation Request Form which can be obtained from the Pool Office, the website, or the NCA Community Manager. The Reservation Request form must be submitted to the NCA Office no less than 7 calendar days prior to the party. HOWEVER, it may take up to 30 days for Board approval depending on the specifics of the party.

C) Parties During Regular Pool Hours

- a) A party is defined as 10 or more guests per address.
- b) The total number of guests (persons without an NCA pool pass in their name) is limited to 30. The applicable number of guest credits must be on file with the NCA office no less than 7 calendar days before the party. Management will provide the pool guards with a separate sign in sheet to keep track of the party guest names, number of guests admitted, and number of guest credits used. Once the 30 guest limit has been reached, OR all the available guest credits have been used if less than 30 credits are available, the pool guards will not allow any additional persons to enter the pool as party guests.
- c) There may be only 2 parties at any one time during regular pool hours.
- d) Parties are limited to 4 hours, which includes the time needed for set-up and clean up.
- e) No electrical extension cords may be used.
- f) Any special requests, e.g. canopy, etc. will be evaluated on a case-by-case basis and may involve additional fees.
- g) Music is controlled by the NCA pool staff. NCA's music policy during regular pool hours is that if any patron of the pool wants the music turned off, it will be turned off. Music is not guaranteed at the pool. No individual phones or other electronic devices may be hooked up to provide music for the party.
- h) A maximum of 2 NCA picnic tables and 1 grill may be used.
- i) A maximum of 2 additional folding tables and 12 camp-style outdoor chairs may be brought into the pool area for use during the party.

D) After Hours Pool Parties

Private pool parties, which are held after regular pool hours, must be scheduled with the Pool Manager, but must be approved by the Community Manager and/or the NCA Board. As noted above in the section on Reserving the Pool, it may take up to 30 days for Board approval depending on the specifics of the party.

- a) The Pool Party Sponsor must coordinate the availability and payment for the lifeguards directly with the Pool Manager. A minimum of two guards is required, with an additional guard for each 50 persons. A party for 51 would require 3 guards; 76 would be 4 guards.
- b) Any special requests, e.g., use of NCA electricity, music, speakers, canopy, moon bounce, etc. will be evaluated on a case-by-case basis and may involve additional fees.
- c) The Pool Party Sponsor must provide a check for \$75 made out to Newington Community Association for the security deposit. The security deposit will be returned one week after the party, provided the pool facilities are left clean and undamaged. NCA reserves the right to inspect the pool prior to returning the security deposit.
- d) The Pool Party Sponsor must provide a check made out to Newington Community Association for the party, which will include an Association fee of \$50 for the use of the pool, plus any additional fees for special requests. All of these fees are non-refundable.
- e) The total number of persons is limited to 100. Requests for more than 100 persons will be considered on a case-by-case basis and will require a minimum of 30 days for approval. Management will provide the pool guards with a separate sign in sheet to keep track of the party guest names and number of guests admitted. Once the applicable guest limit has been reached (100 persons or whatever number has been approved by NCA), the pool guards will not allow any additional persons to enter the pool.
- f) The Pool Contractor or their representative and/or the NCA Representative have the right to suspend activities at any time in case of misconduct and/or misbehavior by a person at an approved party. Such a suspension will automatically make the security deposit non-refundable.



- g) Noise levels must be in accordance with Fairfax County Ordinances.
- h) NCA reserves the unilateral right to terminate the use of NCA electricity.
- i) All music must be OFF by 10:00 pm.
- j) A maximum of 2 folding tables and 12 camp-style outdoor chairs may be brought into the pool area for use during the party.
- k) The pool must be vacated by 11:00 pm, so cleanup must be completed before then. Failure to vacate the pool by the agreed upon time may result in additional fees owed to the lifeguards and would be grounds for NCA to deny future after-hours pool parties.

### **LIABILITY**

All persons entering the pool facility do so at their own risk. Entry constitutes agreement not to hold NCA liable for personal injury or loss or damage to personal property, except injury by breach of ordinary standards of care. The adult member or adult guest is responsible for the actions of their accompanying children and/or guests. Children brought to and/or attended by a responsible person remain the responsibility of said person as long as the children are within the pool facility. Adult liability resides with the individual.