

BULL RUN SWIM AND RACQUET CLUB, INC.
REGULATORY RESOLUTION NO. 09-1
Regarding Membership and Use Rules

WHEREAS, Article IV, Section 4.01, of the Corrected Supplemental Declaration of Covenants, Conditions and Restrictions of the Bull Run Swim and Racquet Club, Inc. (hereinafter "Declaration") and Article V of the Bylaws provide that the Board of Directors has the power and duty to promulgate and enforce such rules, regulations, restrictions and/or requirements as may be deemed proper respecting the use and occupancy of the Club and its facilities; and

WHEREAS, the Board has determined that an amendment to the membership rules is necessary to simplify the rules in accordance with governing law and the recorded documents of the Club;

NOW THEREFORE, the Board of Directors hereby resolves and adopts the following Membership and Use Rules which shall become effective on April 1, 2010.

1. Memberships rights of enjoyment are subject to rules adopted by the Board of Directors and those restrictions listed in Article IV, Section 4.01 of the Declaration and Article V, Section 5.01 of the Bylaws.
2. Record owners of lots or units and their families shall each be entitled to Membership in the Club, provided that they reside in a lot or unit subject to the Declaration. No more than two memberships will be provided for roommates of a unit owner in residence.
3. Record owners of lots or units will be deemed to delegate their use rights to their tenants and their tenants family or roommates who reside with them in the lot or unit, unless proof of non-delegation is provided. Tenants will be deemed to be Special Members. Special Members do not have voting rights because the owners of record retain all voting rights. No more than three Special Memberships for unrelated adults will be issued to any lot or unit in accordance with Article I, Section 1.15 of the Declaration, Article II, Section 2.15 of the Bylaws and Section 32-305.05 of the Prince William County Zoning Ordinance.
4. Members and Special Members will receive an identification pass with a photograph that will be required for admittance at a cost of \$5.00 per pass, \$2.50 for senior citizens age 65 and older. Lost photo passes can be replaced at a cost of \$2.00.
5. Visitors for extended periods, friends, significant others and children who do not reside with the Member or Special Member will be considered guests and must have a guest pass for the use of the facilities. Each lot or unit may receive a minimum of two passes so that the owner occupants or tenants who are the only resident of the unit or lot may receive one guest pass with no photo at no additional cost upon request, subject to availability, in addition to the Member or Special Member pass. Members or Special Members who have legal custody of children or others for limited periods of times, such as summers or weekends, may obtain Special Membership passes by providing proof of such custody.

Guest passes for pool use only may be purchased as follows:

\$5.00 for a one-day pass (Sunday – Saturday)

\$15.00 for a 10-visit punch card pass, limit 4 per lot or unit per season

\$2.50 for a one-day senior citizen pass (65 or older)

6. Guest passes may only be used when accompanied by the Member or Special Member who assumes full responsibility for the actions of their guest and their compliance with Club rules.
7. Proof of residency for issuance of a Membership or Special Membership pass includes a current driver's license showing the residence address, voter registration card, real estate tax bill, settlement statement, or lease agreement listing the names of the tenants and the number of occupants in the lot or unit. An owner must provide a letter of authorization and acknowledgment of responsibility for issuance of a pass for use of the facilities by any residents who are not family members or who are not listed on the lease.

8. The Board of Directors and the Club Manager reserve the right to limit the number of memberships and persons within the pool enclosure or other facilities so as not to exceed a manageable limit and will limit the number of persons in the water to a number which the lifeguard staff is able to supervise safely. The Club Manager has authorization to deny or restrict the use of the pool area for weather related reasons, to any person who fails to strictly follow pool rules or to any person who may in any way endanger himself, herself or other persons in the pool area. Any circumstances not covered by the rules may be referred to the Club Manager or the Board of Directors for appropriate action. No refund for guest passes will be provided if use is denied because of occupancy limits. Entry to the facilities will be on a first-come first-served basis in the even use must be denied because of occupancy limits.
9. Use of the facilities may be suspended by the Board of Directors or the Property Manager for nonpayment of assessments or for violation of rules.

GENERAL OPERATING PROCEDURES

The rules are for safety, protection, and enjoyment of all members and their guests. Infractions by any member or guest shall be considered sufficient cause for immediate suspension of the privileges of the offending person. The rules pertaining to the swimming pool and other facilities are subordinate to all Swimming and Pool Ordinances and Regulations of Prince William County, Virginia, all federal, state and local law or regulations and the Declaration and Bylaws of the Bull Run Swim & Racquet Club, Inc. All members and guests shall use the Club's facilities at their own risk and the Club is not responsible for lost articles or injuries on Club property.

The Board of Directors has delegated the authority to the Club Manager for maintenance or order and cleanliness in and around the club facilities, for the supervision of the operating staff, and for the proper enforcement of the rules and fees established by the Board of Directors.

The Club will provide each family unit member age six and over with an identification card. This card will have a photograph of the individual and personal information. This card must be carried by all members when using the club facility. Each card must be updated each year with a current sticker for a cost of \$5.00 each and \$2.50 for senior citizens 65 or older. A \$2.00 fee will be charged to replace lost cards.

Each member of the management and pool staff has the responsibility for the enforcement of the rules. All individuals are expected to observe all rules and obey the instructions of the Manager and staff. The management and staff shall take such action as necessary for the safe and orderly operation of the facilities. Lifeguards have the authority to suspend pool privileges for up to one day. For good cause, the Manager has the authority to suspend pool or other facility privileges for up to one week. The Manager also may recommend to the Board of Directors, suspension for periods longer than one week and up to 60 days. Any suspension of privileges must be reported by the Manager to the President of the Board or a designated representative and to the parents of any suspended minor child. Appeal of any suspension must be made in writing to the Board of Directors and an opportunity for a hearing before the Board will be provided if requested.

All suspension of privileges shall remain in force uninterrupted until the time period of suspension has been fulfilled or disposition of an appeal has been provided by the Board of Directors. There is no abeyance, waivers, or early termination of a suspension unless provided explicitly by the Board of Directors.

POOL RULES AND REGULATIONS

1. Hours of Operation
 - a. The Board of Directors will establish the pool season opening and closing days, daily hours of operation and with appropriate notice (no less than three days) may alter or restrict the hours of operation to accommodate special club functions. For purposes of this rule, club functions are defined as 1) any swim days prior to Memorial Day or after Labor Day, 2) swim meets and/or practices, 3) parties open to the membership, and 4) any other function deemed in the best interest of the Club by the Board of Directors.
 - b. During the regular pool season between Memorial Day weekend and Labor Day weekend, the hours will be 11:00 a.m. until 8:00 p.m. Monday through Thursday, 11:00 a.m. until 9:00 p.m. Friday, 10:00 a.m. until 9:00 p.m. Saturday and 10:00 a.m. until 8:00 p.m. Sunday and Holidays.
 - c. The Club Manager or his/her designated representative may close the pool for maintenance or inclement weather whenever such action is, in the judgment of the Club manager or his/her designated representative, necessary to provide for the safety of all persons on Club property or to protect the Club's physical facilities.
2. Admission to Pool Facilities
 - a. The identification card must be used to authorize entry into the pool area.
 - b. In cases of forgotten cards, the Club Manager or in his/her absence, a designated Club Representative, may permit entry.
3. Classification of Member Passes
 - a. All resident owners and their immediate family, i.e., husband, wife, children 6 and older, including children that reside with a parent only during the summer or on weekends, shall receive a pass. All tenants that are listed on a lease and have a signed owner transfer listing all residents will receive passes. Up to two roommates of a resident owner, with proof of residency and written permission from the owner, shall receive a pass.
 - b. Children age 11 to 14 that have passed the swimming test and have a signed Swim Test Waiver on file will receive a pool pass with a red photo background. This will immediately identify children that have passed the swimming test and can come to the pool without adult supervision. All children under 15 years of age will have their date of birth printed on the pool pass along with "under 15 logo" unless they pass the swim test. A parent or legal guardian of the child must be present in order for a child to take the swim test.
 - c. Single owners or tenants who are the sole occupants of their units or lots, in addition to their pass, may receive one guest card without a photo.
4. Classification of Guest Passes
 - a. PUNCHCARD PASS: A guest pass which consists of 10 entries (10 punches) at a cost of \$15 per pass. Each household may purchase a maximum of four (4) passes per season. These guests must be accompanied at all times by a member. The passes are restricted for cookouts, Memorial Day, Fourth of July and Labor Day to two guest entries per household as well as.
 - b. DAILY GUEST: Any other individual. The fee is \$5.00 per guest everyday of the week. Members must accompany their guests at all times. Children under age 14 may not bring guests under the age of 15 unless they have received a season baby sitter pass.

- c. SEASON BABY SITTER PASS: \$50.00 per season. The pass will be issued in the member's name and allow one swimming baby sitter to accompany the member's children. The pass may only be used by a baby sitter age 14 or older. The baby sitter may not leave the children unattended and may not participate in recreational activities such as adult swim. Baby sitters must pass the swimming test unless they are age 15 or older.

5. Pool Guests

- a. Children age 14 and under may not bring guests under the age of 15, with the exception of those who have received a babysitter pass.
- b. Guest privileges shall consist of use of the pool facilities only for the day. Member sponsors assume full responsibility for their guests.
- c. Guests are subject to the same rules as members.
- d. All guests must register in the guest book on entry. The guest's name, emergency phone number and sponsoring member's name will be recorded.
- e. Each lot or unit may have a maximum of two guests per visit unless prior approval is obtained from the Club Manager or his/her designated representative.

6. Pool Rules

- a. No swimming is allowed in off hours and/or in the absence of a lifeguard.
- b. Swimmers shall render attention to the lifeguard immediately upon hearing the lifeguard's whistle and clear the pool upon call to do so. Lifeguards have the full authority to clear the pool of swimmers in case of emergency. Obey lifeguards at all times.
- c. Running, pushing, rough play, ball playing, wrestling, spitting and obnoxious or disruptive actions are not permitted.
- d. Abusive, offensive, or profane language is not permitted.
- e. Gum, chewing tobacco or snuff are not permitted.
- f. Alcoholic beverages and unlawful drugs are not permitted at the pool at any time. Smoking by members age of 18 and older is permitted only in designated areas. No cigar smoking is permitted at any time.
- g. Playing with, sitting on or standing on the life lines is not permitted.
- h. Sitting or standing on another swimmer is not permitted.
- i. Diving is only allowed in the diving area.**
- j. Only one person at a time is permitted on the diving board. You must wait until previous person has surfaced and has reached the ladder.
- k. Use of kick boards and inflatable pool equipment may be permitted by the lifeguards depending on the size and character of the crowd.
- l. Pets are not allowed. Service animals are exempt from this rule.
- m. All wheeled vehicles, such as skateboards, bikes, mopeds, scooters etc., are not permitted. (wheel chairs and locked strollers are permitted)

- n. Pool users who wear diapers must wear a swim diaper. Disposable diapers are prohibited.
- o. All non swimming children must be in arms reach of an adult. Flotation devices may not be used for non swimming children unless under adult supervision.
- p. Residents/guests may not loiter at the lifeguard stations.
- q. In the event of thunder or lightening all patrons must depart the pool.
- r. Proper swim attire is required at all times. No street clothes, jeans, cut-offs. No thong or Brazilian bathing suits allowed.
- s. Food and/or drinks are permitted on the deck area only. No glass bottles or containers are permitted. Patrons are required to clean their eating area prior to leaving the club.
- t. Every hour a 15 minute rest period will be observed, during which anyone under the age of 18 will be required to leave the pool. Children under age 6 will be permitted in the pool during this rest period when immediately accompanied by an adult 18 or older. Rest periods will begin 15 minutes before the hour and will end on the hour. Break will not be called during the last hour.
- u. The lower pool is designated as a “**Quiet Pool**”. Members under the age of 17 must be accompanied by an adult member. Anyone who is noisy, shouting, splashing (other than that which occurs with normal swim strokes), or who is disturbing others may be suspended from use of the lower pool.

7. Protection of Children

- a. Children between the ages of 11 and 14 are permitted entry without supervision if they have passed a swimming test and a parent has returned the Swim Test Waiver. A Parent or legal guardian must be present in order for the swim test to be administered. The swim test, administered by the lifeguards, requires: 1) swimming one length of the pool without stopping, and 2) treading water for one minute. Management reserves the right to limit use of the pool by persons who cannot demonstrate the ability to pass the swim test. This privilege can be suspended for disciplinary reasons at anytime.
- b. Children under age 14 may not bring guests under the age of 15 unless they have received a season baby sitter pass. You must be at least age 15 in order to bring pool guests.
- c. Children up to age 5 are permitted in the baby pool only when accompanied by a parent, guardian or babysitter. Older children are not to use the Baby Pool during break. Parents, guardians and babysitters assume full responsibility for all children they bring to the baby pool and must not leave any children unattended in the pool or pool area at any time.
- d. The Club will not furnish lifeguard service at the baby pool and the lifeguards are not responsible for watching children in the baby pool. Children using the baby pool must be supervised at all times by a responsible person aged 14 or older.
- e. Small water toys approved by the Club Manager are permitted in the baby pool.
- f. Pool users who wear diapers must wear a swim diaper. Disposable diapers are prohibited.
- g. The gate to the baby pool area must be kept closed and latched at all times.
- h. Children 14 and under, who have not passed a swimming test, may not use the slide or diving board without direct adult supervision.
- i. No more than 4 children (aged 5 and under), per one adult, will be permitted in the pool area.

TENNIS COURT RULES

A copy of the tennis rules and court etiquette is posted at the court. All member and their guests are required to follow these rules and exhibit proper court behavior at all times. Management and the Board of Directors have the authority and responsibility to enforce these rules.

1. Hours of Operation
 - a. 7 am to 11:00 p.m., 7 days a week as weather permits.
2. Admission to Courts
 - a. A gate key is needed to enter all courts. A \$5.00 deposit is required to obtain a day key. A \$15 deposit is required for a night key which controls the lights (see below). The key is kept in the member's possession and the member can play whenever the courts are available during regular hours of operation.
 - b. Guests must be accompanied by a member at all times.
 - c. Only tennis shoes are permitted on the courts at any time.
 - d. Foul language or offensive behavior is not necessary or acceptable at any time.
 - e.
 - f. No skateboards, bicycles, roller blades, scooters, pets, glass containers or food are allowed within the tennis courts.
3. Night Tennis
 - a. To play night tennis, an additional \$15.00 deposit is required for a light key which will turn on the court lights from dusk until closing. The lights are on a timer and require approximately 10 to 15 minutes to warm up. Even though the lights will turn off automatically, you must key the lights off when you have finished or they will automatically turn on in the evening. If others are waiting to play and have a light key and a membership card in their possession, please do not turn the lights off. The new players will be responsible for keying off the lights.
 - b. Keys must not be left in the light switch while playing.
 - c. Noise must be kept to a minimum.
 - d. The Club reserves the right to rekey the tennis court light switches as required for security and charge for new tennis light keys.

4. Procedures for Use of Unreserved Courts
 - a. Members are entitled to the use of unreserved courts according to the order of their arrival.
 - b. When other members are waiting, the maximum playing time is one hour for singles and 1 ½ hours for doubles.
 - c. Each household may occupy only one (1) court at a time if others are waiting to play.
 - d. No skateboards, bicycles, roller blades, scooters, pets, glass containers or food are allowed within the tennis courts.
 - e. Foul language or offensive behavior is not necessary or acceptable at any time.

VOLLEYBALL COURT RULES

A sign is posted at the volleyball court listing the rules for play.

1. Hours of Operation
 - a. 7 am to dusk, 7 days a week.
2. Admission to Court
 - a. All members must have a valid membership card in their possession.
 - b. All members and their guests must park in the Club parking lot when using the facility.
 - c. Play is limited to one hour when other members are waiting to play.
 - d. Members must be present with their guests at all times.
 - e. Reservations will be accepted only 48 hours in advance. The same member may not reserve the courts more than one weekend a month unless there are no other reservations by close of business on Friday for the time period requested.
 - f. Foul language or offensive behavior is not necessary or acceptable at any time.

BASKETBALL COURT RULES

1. Vulgar and offensive language or behavior will not be tolerated and the right to use the court may be suspended immediately.
2. The time limit for use of the court is 1 ½ hours if other parties are waiting to play.
3. Members must be with their guests at all times.
4. Only three (3) guest per member (present on the court) are allowed. Members on the court must have ID cards with them.

EXERCISE ROOM

1. HOURS OF OPERATION

- a. It has been established that the exercise room for general membership use will be from 5:00 a.m. until 11:00 p.m. Monday through Sunday and with appropriate notice (no less than three days) Management may alter and restrict the hours of operation to accommodate special Club functions. For purposes of this rule, Club functions are defined as (1) any Club house function open to the general membership, parties, meetings, etc., (2) any other function deemed in the best interest of the Club by the Board of Directors.
- b. The Manager may close the exercise room for maintenance or any other safety conditions whenever such actions are, in the judgment of the Manager or his/her designated representative, necessary to provide for the safety of all persons on Club property and to protect the Club's physical facilities.

2. ADMISSION TO THE EXERCISE ROOM

- a. The access card is required for entry into the exercise room. The card may be obtained by any member, 18 or older, by paying a \$10.00 deposit. The deposit will be refunded when the card is returned.
- b. Children under the age of 12 are not allowed in the weight room at any time.
- c. Children between the ages of 12 and 16 may use the equipment for **SERIOUS EXERCISE ONLY** and **ONLY** if they are accompanied at all times by a parent or guardian.

3. GUESTS

- a. Members in good standing are permitted one guest and assume full responsibility for their guest.
- b. Guests must be accompanied by the member in the weight room at all times.

4. EXERCISE ROOM RULES

- a. Members shall read the instructions for proper use of the equipment. The exercise room equipment must be used only in the intended manner.
- b. Residents must use the supplies provided to wipe down the equipment they utilize after each use.
- c. Abusing the equipment in any way shall be grounds for immediate suspension for a term deemed appropriate by the Board of Directors.
- d. Horseplay, improper behavior or spitting is not permitted.
- e. Food is not permitted in the exercise room.
- f. **Proper clothing and foot wear are required to use the exercise room. No sandals, flip-flops or wet clothing will be permitted at any time.**
- g. Any problems with the equipment should be brought to the attention of the Manager immediately upon discovery. Damage to the equipment other than normal wear and tear will be presumed to be the responsibility of the user unless brought to the Manager's attention.