

CLOVER CREEK OWNERS ASSOCIATION

POOL RULES, WAIVER AND RELEASE

I am a homeowner and/or resident of the Clover Creek Owners Association ("Association"). As a condition to using the Association's swimming pool I agree to the following:

The following rules are for the protection and benefit of all to insure safety and sanitary operation of the pool facility. Your cooperation in complying with the conditions will afford pleasant relaxation and recreation for all. Parents are required to instruct their children to observe and obey all the rules. Homeowners are required to instruct their guests to observe and obey all the rules.

- * Each residence is allowed 6 guests per day. Notwithstanding the foregoing, pool parties are allowed Monday-Friday and must be arranged in advance through the pool manager. The cost associated with pool parties is based on the number of invitees, and the additional lifeguards required. One additional guard is required for each 20 people attending the party. Pool parties are not allowed on Saturdays and Sundays. All guests must be accompanied by a Homeowner at all times.
- * Residents under the age of 10 must be accompanied by a parent within the household, or their designated child guardian, such as a nanny or grandparent. Residents 10 years of age and older may be admitted without direct adult supervision. However, children 10-17 years of age admitted under this policy must be proficient swimmers. Parents bear sole responsibility and liability for determining and ensuring their 10-17 year old child has the requisite swimming skills to be unsupervised at the pool. The pool attendant on duty, in their sole judgement, retains the right to send home any child that does not appear to have sufficient swimming skills to be at the pool without adult supervision. Parents/guardians must be within arm's reach of their children under 10 years of age when in the pool, at all times.
- * There are periods of time that the pool is open to residents for lap swimming, when there are no pool attendants on duty. In this situation, only residents 18 years of age and older may use the facility.
- * To enter the pool, residents are required to be in possession of a functioning electronic pool FOB to access the front gate, demonstrating that their HOA fees are in good standing. Use of the facilities is NOT granted to homeowners in arrears of Association fees. Further, residents are required to show the pool attendant a photo ID listing an address within the Clover Creek Association.
- * No running, pushing, rough play or profane language or any other inappropriate behavior as deemed by the pool attendant will be tolerated. Spitting, spouting water, blowing the nose or otherwise introducing contaminants into the pool are not permitted. Diving is not permitted. Swimmers who behave inappropriately will be asked to leave by attendant. Pool attendant has the authority to suspend ALL pool privileges. **Pool attendant has the last word.**
- * There are no paid private swim lessons allowed at the CCHOA pool at any time, other than those provided through the Association. Swim lessons are coordinated through the CCHOA pool manager.
- * No alcohol, glass containers or breakable objects are permitted in the pool area. Food is permitted only in designated area. Liquid refreshments are allowed in the pool area, provided they are in unbreakable containers.
- * No pets are allowed in the pool area.
- * Proper swim attire is required. Cut offs and thong suits are not permitted at the pool. Swimming safety aids for children unable to swim are permitted but does not substitute for parental supervision at all times. Small pool toys are allowed at the discretion of the pool attendant. Rafts or large inflatable floatation devices are allowed at the pool attendant's discretion. When the pool is busy, pool attendant may restrict the use of large floatation devices.
- * Clover Creek HOA does not accept responsibility for items lost or stolen or contents disposed of by staff.
- * Children that are not yet toilet trained may use the wading/baby and the main pool. However, they must wear swim diapers AND plastic protective pants at all times when in the pool. Standard diapers are not considered sufficient protection from accidents in the pool.
- * The wading/baby pool is solely for children 5 years of age and younger, and their parents/guardians. **The wading/baby pool is NOT supervised by pool attendants.** No children are allowed in the main pool during adult swim.
- * **Clover Creek HOA pool area is designated as no smoking area at all times.**
- * Any person(s) found to be in the pool area outside of posted pool hours will lose their pool privileges, and the police will be called for trespassing.

- * Persons having any skin disease, sore or inflamed eyes, cold, nasal or ear discharge, open sores or bandages or any communicable disease of any kind cannot be admitted into the pool area. Pool attendant will ask any such resident to leave.
- * Other than the main pool sound system, only devices equipped with ear phones are allowed for listening to music.
- * The pool will close when the air temperature is below 60 degrees and/or on rainy days, or if serious chemical imbalance in the water occurs. The pool WILL close during thunder and lightning for 30 minutes from the last occurrence.

All persons using the pool do so at their own risk. The Clover Creek HOA assumes no responsibility for any accident or injury in connection with such use, or for any loss or damage to personal property. Persons using the pool agree not to hold Clover Creek HOA liable for any accidents of whatever nature occurring within the pool area. Residents will be responsible for the actions of their children and guests.

Representations

1. I have read, understand, and agree to follow the Association’s rules and regulations (as periodically amended and approved by the CCHOA board of directors) regarding use of the swimming pool.
2. I understand that I will be using the swimming pool at my own risk and I am fully able to understand and evaluate the risks of using the swimming pool.

Waiver, Release, Discharge, Covenant Not to Sue and Indemnity

3. I understand that pool attendants / lifeguards are provided by the Association as a courtesy, and that I am solely responsible for my own safety and the safety of my children and other minors that come as my guest to the pool. I and my successors, heirs and representatives hereby waive any and all claims of liability that I may have or that may result from my use of the swimming pool and I hereby agree not to sue the Association and to indemnify and hold harmless the Association, its directors, officers, agents, members, managers, and employees, including their successors and assignees, from and against any and all claims, liabilities, losses, demands, and costs (including attorney fees) arising from any property damage, personal injury, or death that I may suffer or that result from my use of the swimming pool.
4. I shall promptly pay to the Association the full amount of any cost, loss or damage which the Association sustains and/or incurs, or for which the Association may become liable as a result of my use of the swimming pool.
5. I hereby assume all risks of using the swimming pool whether such risks are caused by negligence of the Association or any person or result from any other cause.

Emergency Medical Care

6. Although I acknowledge that there is no obligation for any person to provide me with medical attention in connection with my use of the swimming pool, I hereby consent to any such care or attention that may be provided to me under the Good Samaritan Law.
7. I intend that this Waiver and Release be interpreted and construed as broad and inclusive as is permitted by the laws of the State of Colorado.
8. I understand that the Association is allowing me to use the swimming pool in reliance upon the representations, covenants, and promises that I have made herein.
9. I have read and fully understand the statements made herein and I voluntarily sign this Pool Waiver and Release intending to be bound by its terms.

Homeowner / Renter

Please circle one

	Phone#
Email Address	Address
Print Name	FOB ID#
Signature	____/____/____ Date