

Villages of Overland View Homes Association, Inc. (VOV)

SWIMMING POOL RULES and REGULATIONS

Revised Effective May 20, 2013

“SWIMMING POOL ENTRY BY KEY CARD ONLY”

GENERAL INFORMATION:

The following Rules and Regulations (R&Rs) have been adopted by the Board of Directors of the Villages of Overland View Homes Association, herein referred to as the VOV in an attempt to provide for the continuing pleasure, comfort and security of all VOV Homeowners, their children, other family members, visitors, renters and or guests and were established, acting in good faith. The R&Rs may be in whole or in part adjusted, amended and or modified by the Board of Directors at any time.

These Rules and Regulations have been adopted by the Board of Directors pursuant to the VOV Declarations, Article IV. Property Rights, Section 3, (a), (b).

The Villages of Overland View Homes Association works to provide a safe, attractive and fun pool environment for the use of VOV homeowners, their children, any other family members, invited guests and or renters. The swimming pool complex consists of a large adult pool and smaller baby pool. There is **NO** diving in either pool.

The swimming pool is open from 8:00 a. m. to 11:00 p. m. seven (7) days a week beginning Memorial Day weekend through Labor Day weekend.

Your Board of Directors respectfully requests ALL homeowners to abide by and provide assistance in fully complying with these revised VOV swimming pool rules and regulations.

Please carefully read and comply with the following revised swimming pool rules and regulations.

VOV Homeowner Notification:

1. **ANYONE** found climbing on or over the swimming pool fence, or lifting another person over the pool fence, to illegally gain entry to the pool area will be reported to the City of Overland Park Police Department and may be arrested as a trespasser.
2. **ANYONE** found removing VOV furniture, fixtures, equipment, signage, et al from the swimming pool area without prior written authorization from the Board of Directors or Property Management Company will be subject to arrest and prosecuted to the fullest extent of the State of Kansas Law.
3. **ANYONE** entering the VOV swimming pool area represents consent for release of ANY liability claims of any nature against the VOV Board of Directors and or Property Management Company.
4. **“SWIM AT YOUR OWN RISK”** as the VOV Homes Association is NOT liable nor assumes any responsibility for personal or property damage in connection with the swimming pool and pool area.
5. **THERE IS NO LIFEGUARD ON DUTY!** All VOV homeowners, their children, other family member, visitor, renter and or guest using the VOV swimming pool do so at their OWN RISK. The VOV assumes **NO RESPONSIBILITY OF ANY KIND** for any accident or injury in connection with such use or for any loss or damage to personal property. ALL persons using the pool agree NOT to hold the VOV, the Board of Directors and or Property Management Company liable for any actions of whatever nature occurring within the pool area. Since the swimming pool is **NEVER** furnished with a lifeguard, it is the **responsibility** of the VOV homeowner to supervise themselves, their children, and other family members, visitors, renters and or other guests at **ALL** times.
6. **All** persons using the pool **MUST** abide by published rules. Failure to comply with any rule may result in fines or suspension of privileges.

7. Please respect the privacy of those VOV unit owners who live within close proximity of the swimming pool area.
8. Swimming pool privileges for the season will be cancelled for ANYONE who alters in any manner their swimming pool entry key card, or who attempts to allow transfer of the key card to another party.
9. The swimming pool area of the VOV complex is for the **private enjoyment of its residents**. Inappropriate conduct, or any conduct annoying or disturbing to the RESIDENTS of the VOV will **NOT** be permitted. Any Violator, homeowner, their children, other family member, visitor, renter and or guest, et al, will be expelled from the pool area. The VOV Homes Association swimming pool, pool area and common grounds is restricted to residents and their guests. Guests must be accompanied by a resident. All persons not accompanied by a resident will be considered a trespasser and asked to immediately leave the pool area and are subject to the trespassing laws of the State of Kansas and the City of Overland Park. VOV unit owners ARE responsible at all times for the actions of their family, guests, visitors and renters around the swimming pool, pool area and common grounds.
10. Daily hours of the swimming pool area are **8:00 a. m. to 11:00 p. m.** No one is to be in the pool area outside of these hours. VOV residents, their children, any other family member, visitor, guest, and or renter inside the pool area after 11:15 p. m. are subject to fine and/or card key cancellation of pool privileges. The swimming pool area is a NO NOISE area from 11:15 p. m. to 8:00 a.m.
11. Access to the pool is denied to homeowners whose monthly VOV Association dues are delinquent for any reported reason and will **NOT** be reinstated until **ALL** past due fees are brought to a current status.
12. In compliance with Kansas State Law, no one under the age of 21 is allowed to consume alcoholic beverages. Please do NOT bring any such beverages to the pool area if you are less than 21 years of age.

13. **DO NOT ENTER THE POOL AREAS DURING CLOSED HOURS!** The City of Overland Park Police Department will be called if anyone is in the swimming pool during the hours of 11:15 p. m. and 8:00 a. m. and or who does not have proper ID showing that they reside in the VOV complex. They will be considered to have unauthorized entry to private property and will be considered as trespassers who may be arrested and prosecuted to the fullest extent of the State of Kansas Law.
14. Swimming pool privileges for the season will be cancelled for ANYONE who fails to properly employ their access key card and who instead climbs over the fence to gain entry into the swimming pool area. The cost of any damages to the swimming pool fence associated with this activity will be invoiced to the person or landlord, if a renter is involved, responsible for such damage. An appropriate lien will be placed on the owners unit if the cost to repair any such damage to the swimming pool fence is not promptly paid in full when invoiced.
15. The pool gate is controlled by anew electronic card reader. Each VOV unit has been provided with a programmed pool card. Only one card is issued to each unit. The card will only allow access to the pool during the hours of operation. If the pool card is lost or damaged, a replacement card must be obtained from the Association. Contact the Property Management company for a replacement. There is a **\$25.00 fee** for a replacement card. When VOV units are sold, the card should be transferred to the new owner by the previous owner and new owner information updated with the Property Management Company. If the card is not transferred to the new owner, the new owner will be charged a **\$25.00 fee**for a replacement card.
16. All beverages must be maintained in plastic cups or containers and kept at least four (4) feet away from the swimming pool.
17. The filter/heater equipment storage room and clubhouse basement housing same is “off-limits” to all but authorized personnel.

18. Children 14 years or younger must be accompanied by an adult 18 years or older. Anyone under 18 years of age cannot bring a guest without supervision by an adult 18 years or older.
19. Children who are not properly supervised will be asked to leave the pool area. If the supervising adults leave the pool area at any time the children in their charge must also depart with them.
20. Children using flotation devices for safety purposes will only be allowed in the swimming pool area under strict supervision of an adult who will remain in the water with the children.
21. No children Styrofoam toys or similar play items, confetti or balloons are allowed in the swimming pool because they may disintegrate into particles that may clog the pool filters and ruin the pumping system thus causing **unnecessary** expensive damage to the pool's filtering system for repairs or replacement. Please **DO NOT** bring any of these types of items to the swimming pool.
22. At **NO** time will the VOV, Pool and or Property Management Company be held responsible for any minor left alone at the pool.
23. For safety reasons, individuals may not swim if no other person is in the swimming pool area.
24. VOV homeowners are limited to a maximum of four (4) guests per day for each VOV unit. An adult resident from the living unit must be with the guest(s) at the pool at all times. VOV homeowners wishing to have more than this allotment of guests **MUST** obtain written approval from the Property Management Company at least one week in advance before any such additional guests are permitted to use and enjoy the VOV swimming pool area. At no time will there be more than four (4) guests per VOV unit allowed to use the swimming pool as it is solely for the use and enjoyment of VOV homeowners and residents.

25. The supervision and safeguard of users of the Baby Pool shall be the responsibility of the parents or care provider of the children using the Baby Pool. The VOV Homes Association, Board of Directors and or the Property Management Company shall not be responsible for any type of injury or loss resulting from use of the Baby Pool.
26. Babies in diapers are NOT permitted in a VOV pool without tight fitting plastic pants and or swim diapers for health reasons. All children in diapers or under three (3) years of age are **NOT PERMITTED** in the swimming pool or at the pool edge. Children not toilet trained are **NOT** allowed in the pool.
27. Any incontinent adult must wear swim diapers/underwear when using the swimming pool and or visiting the pool area.
28. Any accident or emergency occurring within the swimming pool, pool area or common grounds that may appear to have caused bodily injury should be reported to the appropriate emergency personnel by calling 911 and reporting the incident to the authorities.
29. Parents are responsible for their children's behavior and full compliance of swimming pool rules. Violators of any pool rules and regulations may be required to depart the swimming pool area at any time.
30. ANY person with a contagious disease, open cuts or sores, skin infection, fungus infection, having colds, coughs, inflamed eyes, wearing bandages, skin lesions or severe sunburn may NOT use the pool. It is advisable that appropriate footwear be worn on pool surfaces at all times.
31. A 24 inch walkway around the swimming pool area is to be kept clear of chairs, lounges or other impediments for safety.
32. When entering or exiting the swimming pool area, residents should ensure the gate is locked, and then use their key card to open the gate.

33. Radios, boom boxes, Tape or CD player or other sound producing devices are prohibited in the pool area except when used with personal headsets and or by special permission of the Board of Directors or Property Management Company.
34. The gates to the pool area **MUST** remain closed and locked at all times, **NOT** left ajar or propped open. The pool may be subject to be closed by the City of Overland Park if this closure is not rigidly controlled.
35. **THERE IS NO NUDE SWIMMING ALLOWED AT ANY TIME (THIS INCLUDES CHILDREN OF ANY AGE).** Only conventional and appropriate swimwear may be worn in the pool. Cutoff jeans or similar attire is not permitted in the pool.
36. Swim wear that becomes “see through” when wet is not allowed and considered indecent for a family swimming pool environment. String and thong bikinis are prohibited and considered inappropriate for a family swimming pool environment.
37. All persons using the swimming pool and pool area are advised to immediately vacate the swimming pool area due to any notification or observance of inclement weather for obvious safety concerns. The Board of Directors or Property Management Company reserves the right to close the swimming pool due to inclement weather and health reasons. The pool will not re-open for the rest of the day or evening following the cessation of such weather.
38. Bobby pins, hairpins, plastic hair bands must be removed from the hair before entering the swimming pool. Do not wear metal objects, jewelry, metal hair clips or other metal objects in the swimming pool.
39. No VOV resident, their children, any other family member, visitor, guest or renter shall in any manner operate, modify, alter, or make any change to any pool related equipment.

40. All VOV Homes Association owners are responsible for their tenants at all times, and for any fines, violations or damages incurred.
41. No glass beverage or other glass container or similar objects are allowed in the pool area.
42. **NO** animals of any kind are allowed in the VOV pool area at any time per the City of Overland Park, Johnson County Health Department Regulations. If an animal of any kind is found in the swimming pool, the pool will be immediately closed. The pool management company will be contacted to drain the water, thoroughly scrub the interior pool surface of any animal germs, debris, etc. and then refill the pool with clean water. The City of Overland Park will be contacted to inspect and confirm the pool is free of any animal germs, debris, etc. and is then safe for human use. The offending party, or absentee VOV homeowner, will be directly invoiced for the full cost of the pool management company's operation and a lien will be placed on the VOV unit if said invoice is not immediately paid in full.
43. No motorized vehicle is allowed in the pool area. No inflatable object larger than an air mattress is allowed in the pool area. No running, roller-blading, scooters or wheeled item is allowed in the gated swimming pool or surrounding area.
44. The pool may not be reserved for private parties; rental of the clubhouse DOES NOT include the pool area.
45. Using the pool for private swim lessons must have written permission from the Board of Directors or Property Management Company.
46. Any activity such as running, diving, undue splashing, horse playing, pushing, cannon-balling or obscene language which may be considered dangerous or offensive to other VOV unit owners and or their invitees, all inclusive, is prohibited.

47. No one group of VOV residents, their children, any other family members, their visitors, guests or renters are allowed to monopolize the swimming pool or pool area that does not respect the rights of others.
48. No pool furniture is allowed in the swimming pool. Pool furniture is NOT to be removed from the pool area, nor placed in the swimming pool or restrooms.
49. Chairs and lounges must be completely covered when in use with a blanket, towel, or sheet, etc. Pool furniture cannot be reserved for others who are not present and or removed from the pool area.
50. One chair or lounge per person. Chairs and lounges are provided for the common use of all residents.
51. Swimming pool furniture, any signage and life-saving equipment must not be removed from the swimming pool area.
52. All Association members are responsible for the enforcement of these reasonable VOV rules and regulations.
53. All individuals identified as breaking the swimming pool rules and regulations will be denied access to the swimming pool.
54. Balls, Frisbees, large flotation devices are not permitted in the pool areas if they may interfere with the swimming pool area enjoyment of others.
55. Personal flotation devices, chairs, rafts, etc. may NOT be stored at the swimming pool area overnight. All personal belongings MUST be removed when leaving the swimming pool area. The VOV Homes Association assumes NO liability or responsibility for any loss, damage or theft of any personal belongings of the VOV unit owner, their children, any other family member, visitor, guest or renters.

56. Access to the lower level bathroom area is handled via your key card.
57. Electronic surveillance is maintained 24 hours in the pool area.
58. For security reasons and because the access card for unit owners who have delinquent accounts have been disabled, individuals inside of the fenced area should **never** open the gate for individuals who do not have a correct, current access card or whose card does not function.
59. All refuse must be placed in the trash containers provided.
60. **The VOV Homes Association Board of Directors and or the Property Management Company may, at any time, eject any person from the swimming pool or pool area for any objectionable behavior, improper dress, and drunkenness, exhibiting any threatening, harmful or objectionable behavior and or for willfully violating any of the VOV Homes Association Rules and Regulations!**

The City of Overland Park Police Department will be contacted to physically remove and or arrest for disorderly conduct anyone disturbing the peace of VOV homeowners and or any person who violates these rules and regulations and who refuses to remove themselves from the swimming pool and or pool area after being respectfully requested to depart this area within a 10-15 minute period.

Any incarceration or payment of any City of Overland Park Police Department fine and or City of Overland Park Municipal Court cost is the sole responsibility of the offending party and the VOV Homes Association and or the Property Management will not assume any liability or responsibility for same.